Finding Guide

Appomattox County Board of Supervisors Minutes

SCAN GROUP	START YEAR	MICROFILM REEL	BOOK #	FORMAT
	1895	17	*NA (1)*	Large Format
	1901	18	*NA (2)*	Large Format
	1913	18	*NA (3)*	Large Format
	1921	18	4	Large Format
	1932	19	5	Large Format
	1940	19	6	Large Format
	1951	20	7	Large Format
	1961	20	8	Large Format
	1968	21	9	Large Format
	1972	21	10	Large Format
	1976	22	11	Large Format
	1980	22	12	Large Format
	1982	23	13	Large Format
	1984	24	14	Large Format
	1987	*NA*	15	Large Format
	1990	*NA*	16	Large Format
25 NOV2025-17	1992	*NA*	17	Red Book 8.5x11
	1995	*NA*	18	Red Book 8.5x11
	1999	*NA*	19	Red Book 8.5x11
	2002	*NA*	20	Red Book 8.5x11
	2005	*NA*	21	Red Book 8.5x11
	2007	*NA*	22	Red Book 8.5x11
	2010	*NA*	23	Red Book 8.5x11
	2012	*NA*	24	Red Book 8.5x11
	2016	*NA*	25	Red Book 8.5x11

NOTES

Microfilm by Belinda D. Pillow (1985)
Microfilm held by the Library of Virginia
Finding Guide by Nathan A. Simpson (2025)

On Monday, June 4, 2007, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie E. Roark - County Planner
John K. Spencer – Assistant County Administrator
Barry Watkins – Maintenance Supervisor

At 6:30 Mr. Carter called the meeting to order and asked Mr. Moore to give the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter next called for the **SETTING OF THE AGENDA:**
There are two (2) items to be added to the Agenda:

6A. Renovation and Repairs to County Buildings.
6B. Proposed Increase in Conviction Fees.

Mr. Carter the called for **CITIZEN PUBLIC COMMENT PERIOD:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

James Almond, 6063 Red House Road, Appomattox, Va. – He is opposed to the re-zoning request by Charles Sowers and Shelia A. Goodman to re-zone property from R-1 to A-1 in order to place three (3) mobile homes on said property.

Mr. Carter then called for action on the **ADMINISTRATIVE ITEMS:** (Items 1-6)

Mr. Carter turned the meeting over to Mr. Roark for the Planning Commission Recommendations:

1. **Planning Commission Recommendations:** The Planning Commission has submitted their recommendations from the May 21, 2007 Public Hearing regarding Petitions and Ordinance Changes.

   CUP07001 – Grace Hills Baptist Church, 4320 Pumping Station Road (Route 691) Conditional Use permit to operate a day care center on the property in addition to the current use as a church. 7.57 acres, zoned Residential R-2, Tax Map #'s 63(A) 42, 63(A)161 and 162.

   Planning Commission recommends approval of this petition as submitted.

After a brief discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to approve the Conditional Use Permit request from Grace Hills Baptist Church, 4320 Pumping Station Road (Route 691) to operate a day care center on property in additional to the current use as a church. Property is zoned Residential R-2, tax Map #'s 63(A)42, 63(A)161 and 162 containing approximately 7.57 acres. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye, Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

RZO7001 – Charles A. Sowers and Shelia A. Goodman, Red House Road (Route 727) between Gum Branch Road (Route 644) and Central Church Road (Route 694) – rezone 1.60 acres from Residential R-1 to Agricultural A-1 and placement of three (3) mobile homes.

The Planning Commission recommends denying this petition on the basis that the zoning change was not warranted based on the surrounding character of the community.

After a brief discussion, Mr. Craft made a motion, seconded by Mr. Conrad, to deny the Re-zoning request of Charles A. Sowers and Shelia A. Goodman to re-zone 1.60 acres from Residential R-1 to Agricultural A-1 as the petitioner has failed to show that the development was in keeping with the character of the surrounding area. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Roark stated the Planning Commission has also recommended some changes be made to the Appomattox County Subdivision Ordinance.

Mr. Carter stated that we need to keep in mind that one of these ordinance amendments was initiated for a purpose and we need to look at this change as a global effect on the county for the future and this is something we need to consider very hard and very deep.

Mr. Roark then read the following ordinance amendments:

AN ORDINANCE TO AMEND AND READOPT THE APPOMATTOX COUNTY SUBDIVISION ORDINANCE BY REVISING CERTAIN PROVISIONS OF THE SUBDIVISION ORDINANCE TEXT AS DESCRIBED IN THE FOLLOWING PARAGRAPHS

BE IT HEREBY ORDAINED, that the Appomattox County Subdivision Ordinance is hereby amended and readopted by revising certain provisions of the Subdivision Ordinance text as described as follows:

Text Amendments

Section 1.4 Definitions:

Subdivision, Agricultural-Any subdivision where the resulting lot or lots contain *twenty (20)* or more acres.

Section 3.4 Exemptions for Agricultural Subdivisions:

Section 3.4 Exemptions for Agricultural Subdivisions *and Pipe Stem Lots*

3.4.1 Lots subdivided as agricultural tracts shall be exempt from the street frontage requirements in the Zoning Ordinance. Applicants for agricultural subdivision approval shall submit to the subdivision agent four (4) copies of a plat conforming to the requirements set forth in 3.21-Content of Final Plat. Staff approval or denial of agricultural subdivisions shall be given within five (5) business days of submission by the surveyor or owner.

3.4.2 Lots subdivided as a pipe stem lot shall have a minimum fifty (50) feet of street frontage. No more than two (2) stems may abut one another and no more than three (3) pipe stems shall be allowed in any 600 foot continuous span of street frontage. The minimum lot size for a pipe stem lot shall be no less than ten (10) acres.

Family Divisions Section 3.8 Provisions:

3.8.1 No previous transfer under this provision has been granted to the grantee in this county. *The grantor shall provide proof of continuous qualifying family ownership for a minimum of ten (10) years prior to the conveyance and the grantee shall not convey the new lot within ten (10) years of recordation to any person(s) other than qualifying family members as enumerated in Article 1 of the Appomattox County Subdivision Ordinance, unless otherwise approved by the Board of Supervisors.*

3.8.8 A family subdivision plat shall contain the following *restrictive covenants*:

b. This lot shall not be conveyed within *ten (10)* years of the date of recordation to any person(s) other than qualifying family members as enumerated in Article 1 of the Appomattox County Subdivision Ordinance, unless otherwise approved by the Board of Supervisors.

Section 6.11 Cul de Sacs:

6.11.4 Minimum frontage for any lot fronting on a cul de sac shall be no less than twenty-five (25) feet. The lot should progressively get wider and shall meet the minimum lot width for the respective zoning district at the building setback line.

Severability

Should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

Effective Date

This ordinance is effective upon adoption.

After some discussion regarding each of these Ordinance Changes, Mr. Carter asked that the Board consider each of the Ordinance Changes separately.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve adoption of the following changes to the Subdivision Ordinance:

Section 1.4 Definitions:

Subdivision, Agricultural-Any subdivision where the resulting lot or lots contain *twenty (20)* or more acres.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve adoption of the following changes to the Subdivision Ordinance:

Section 3.4 Exemptions for Agricultural Subdivisions:

Section 3.4 Exemptions for Agricultural Subdivisions *and Pipe Stem Lots*

3.4.3 Lots subdivided as agricultural tracts shall be exempt from the street frontage requirements in the Zoning Ordinance. Applicants for agricultural subdivision approval shall submit to the subdivision agent four (4) copies of a plat conforming to the requirements set forth in 3.21-Content of Final Plat. Staff approval or denial of agricultural subdivisions shall be given within five (5) business days of submission by the surveyor or owner.

3.4.4 Lots subdivided as a pipe stem lot shall have a minimum fifty (50) feet of street frontage. No more than two (2) stems may abut one another and no more than three (3) pipe stems shall be allowed in any 600 foot continuous span of street frontage. The minimum lot size for a pipe stem lot shall be no less than ten (10) acres.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Craft made a motion, seconded by Mr. Moore to approve adoption of the following changes to the Subdivision Ordinance:

Family Divisions Section 3.8 Provisions:

3.8.2 No previous transfer under this provision has been granted to the grantee in this county. *The grantor shall provide proof of continuous qualifying family ownership for a minimum of ten (10) years prior to the conveyance and the grantee shall not convey the new lot within ten (10) years of recordation to any person(s) other than qualifying family members as enumerated in Article 1 of the Appomattox County Subdivision Ordinance, unless otherwise approved by the Board of Supervisors.*

3.8.9 A family subdivision plat shall contain the following *restrictive covenants*:

c. This lot shall not be conveyed within *ten (10)* years of the date of recordation to any person(s) other than qualifying family members as enumerated in Article 1 of the Appomattox County Subdivision Ordinance, unless otherwise approved by the Board of Supervisors.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Moore made a motion, seconded by Mr. Craft, to approve adoption of the following changes to the Subdivision Ordinance:

Section 6.11 Cul de Sacs:

6.11.5 Minimum frontage for any lot fronting on a cul de sac shall be no less than twenty-five (25) feet. The lot should progressively get wider and shall meet the minimum lot width for the respective zoning district at the building setback line.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Roark then read the next ordinance revision. This was originally requested as an additional permanent use to the B-1 Commercial District. The Planning Commission felt that each circumstance was unique and felt it would be better to add this category as a Conditional Use. In this way, each request could be considered on its own merit.

AN ORDINANCE TO AMEND AND RE-ADOPT THE APPOMATTOX COUNTY ZONING ORDINANCE BY REVISING A CERTAIN PROVISION OF THE ZONING ORDINANCE TEXT AS DESCRIBED IN THE FOLLOWING PARAGRAPH

BE IT HEREBY ORDAINED, that the Appomattox County Zoning Ordinance is hereby amended and readopted by revising a certain provision of the Zoning Ordinance text as described as follows:

Text Amendment

Section 170-47, Conditional Uses in B-1, Commercial District
Add use category "Schools" to the list of conditional uses.

Severability
Should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

Effective Date
This ordinance is effective upon adoption.

Mr. Conrad stated he had looked at these pretty extensively and he has no problems with developing zoning to accommodate schools in the B-1 district. If you have an existing B-1 district and based on a conditional use, the school being okayed for that area would fit into the plans for what good zoning practices are. Certainly that is not at odds here. If you go from county to county you will find that there a lot of counties that as of this time have that in existence. You also have schools that are existing today in other zoning districts. Where he has a problem is that you don't want to usurp good zoning practices by changing the zoning simply to accommodate a special interest or an interest at hand that would be advantageous for a few people. He would say, that you certainly in the long run try to avoid spot zoning. His feeling is that he has no problem with a school going into a B-1 district under a conditional use because you are certainly analyzing the situation at that time.

Mr. Moore feels that in dealing with schools it is not down-grading an area, if anything, it is upgrading it whether is it in Business or Manufacturing or whatever it might be. He does not see where it is so detrimental to an area.

Mr. Craft does not have any problems with placing a school in B-1 but he does have a problem with mixing zoning.

Mr. Carter has a problem with schools being located in a business district. He can in no way support this. He does not feel this location is conducive to a school.

Mr. Armbrust does not feel a school should be located in a business district. There are safety issues.

Mr. Armbrust made a motion, seconded by Mr. Carter, to not approve the change to Section 170-47 of the Appomattox County Zoning Ordinance to allow schools to be located in a B-1 Business district as a Conditional Use. VOTE: Mr. Conrad, nay; Mr. Armbrust, aye; Mr. Craft, nay; Mr. Moore, nay; Mr. Carter, aye. (2 aye votes – 3 nays)

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the change to section 170-47 of the Appomattox County Zoning Ordinance to allow schools to be located in a

B-1 Business district as a Conditional Use. VOTE: Mr. Armbrust, nay; Mr. Carter, nay; Mr. Conrad, aye; Mr. Craft, aye; and Mr. Moore, aye. (2 nay – 3 aye votes)

2. **Resolution on the Route 460 Corridor Management Study:** Resolution adopting the Route 460 Corridor Management Study and incorporating this study into the Transportation Element of the Community Development Plan. Public hearing was held to receive public comments on May 21, 2007.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to adopt the following resolution incorporating the Route 460 Corridor Management study into the transportation element of the County's Community Development Plan:

RESOLUTION

TO INCORPORATE THE ROUTE 460 CORRIDOR MANAGEMENT STUDY INTO THE TRANSPORTATION ELEMENT OF THE COUNTY'S COMMUNITY DEVELOPMENT PLAN.

WHEREAS, the County wants to provide for the effective and efficient movement of people and goods; and

WHEREAS, THE County wants to develop primary roads, secondary roads, and highways which meet the minimum standards for traffic volume and safety; and

WHEREAS, the Route 460 Corridor Management Study examined approximately 7.5 miles of Route 460 from the west Town of Appomattox limits to the Campbell County line; and

WHEREAS, the Study was performed to identify existing transportation concerns and recommendations based on existing roadway operations and geometrics, develop traffic projections to the year 2030, and assess the ability of the roadway to accommodate year 2030 travel; and

WHEREAS, study recommends roadway and intersection improvements as well as access management techniques to handle existing and future (2030) traffic; and

WHEREAS, the Board has carefully considered the public record, the public testimony, and the recommendation of the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED, by the Appomattox County Board of Supervisors on this 4th day of June, 2007, that the Route 460 Corridor Management Study be and it hereby is incorporated into the Transportation Element of the County's Community Development Plan.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Application for Outdoor Entertainment Event:** This application for the proposed Cowboy "X" games was held over from the May 21, 2007 meeting. The original permit was approved holding the events at another location. The location has been changed and so have the individuals that are in charge. It appears that everything is in order and staff recommends approving the permit for these three events and waiving the bond requirement.

Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the Outdoor Entertainment Event Application for three (3) proposed Cowboy "X" games to be held at 3584 Liberty Chapel Road, Appomattox, Va. on June 23; August 25; and October 27, 2007. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Land Use Taxation Assessment:** After receiving public comments on March 15, 2007 from citizens concerning land use taxation assessment, does the Board wish to proceed with this matter by drafting an ordinance or is there any other action that the Board would like to take.

Mr. Moore stated he had talked to several people recently that live in areas that have land use taxation and they have stated that without land use taxation, they could no longer be financially able to own their property.

Mr. Overstreet stated that if this issue was to be discussed, he would need to have Mr. Moore and Mr. Armbrust sign the following declaration:

DECLARATION

Pursuant to Sec. 2.2-3112.A.2
And 2.2-3115 G – Code of Viriginia

I hereby declare that I have a personal interest in the transaction of adopting Land Use taxation in Appomattox County by virtue of my ownership of real estate in the County which may be eligible for Land Use. Therefore, I am a member of a group that may be affected by this transaction.

I declare that notwithstanding the above, I am able to participate in this transaction fairly, objectively, and in the public interest.

Mr. Moore made a motion, to have staff prepare a land use taxation ordinance for adoption and schedule a public hearing.

Motion died for the lack of a second.

5. **NACo Annual Conference & Exposition:** Information has been received on the upcoming NACo Conference to be held in Richmond. If anyone wishes to attend, please notify Ms. Ferguson so arrangement can be made.

6. **Request for Public Hearing:** Mr. Roark has requested a public hearing to be held on June 18, 2007 at 6:15 p.m. for the purpose of amendments to the telecommunications facility ordinance.

Zoning Ordinance

The following amendments are being made to **Article XX-Telecommunications Facility Ordinance**:

Amend Text:

Section 170-113-Permitted Uses

(A) Co-locations in the following zoning districts: A-1, B-1, M-1, M-2, and *M-IP* provided that the height of the existing structure is not increased more than 20 feet of its original permitted height.

(C) New construction towers that do not exceed 199 feet in height that are proposed for siting in a B-1, M-1, M-2, and *M-IP* zoning district, provided the site does not border a lot zoned H-1, R-1, R-2, or V-1.

Section 170-114 Conditional Uses

(A) New construction towers that do not exceed 199 feet in height that are proposed for siting in an A-1, B-1, M-1, M-2, or *M-IP* zoning district bordering an H-1, R-1, R-2, or V-1 district.

(B) New construction towers that exceed 199 feet in height that are proposed for siting in an A-1, B-1, M-1,

M-2, or *M-IP* zoning district.

Appendix-Summary of Permitted and Conditional Uses
Add to table

Zoning District	Co-Location	New Tower < 50 feet	New Tower 51-199 Feet	New Tower 200'or More
M-IP	*P**	*P*	*P***	*C*

Mr. Craft made a motion, seconded by Mr. Conrad to schedule a public hearing for June 18, 2007 at 6:15 p.m. for the purpose of adopting the amendments to the telecommunication facility ordinance. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6A. **Renovation and Repairs to County Buildings:** The bids for the scheduled repairs, renovations and upgrades to the County Administration Building and the Commonwealth's Attorney Office have been received and opened. There was only one bid received and that was from J. E. Jamerson and Sons, Inc. in the amount of $562,500.00. Craddock Cunningham is in the process of working with Jamerson to see if any changes could be made to reduce the total project costs without loosing any of the necessary renovations.

Recommendation is that staff has secured funding for this project and is requesting that the Board approve for the County Administrator to enter into a contract with J. E. Jamerson and Sons, Inc. for the project as proposed after review by the County Attorney.

Mr. Armbrust made a motion, seconded by Mr. Moore, to authorize the County Administrator to enter into a contract with J. E. Jamerson and Sons for the proposed repairs, renovations and upgrades to the County Administration Building and the Commonwealth' Attorney Office after review by the County Attorney. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6B. **Proposed Increase in Conviction Fees:** Sheriff Staples is requesting that the Board increase courthouse security conviction fees from $5.00 to $10.00 effective July 1, 2007. The General District Court Judge has requested additional personnel to handle Courtroom Security.

Recommendation is to schedule a public hearing to be held on June 18, 2007 at 6:00 p.m. to receive public comments on this proposed change to the Appomattox County Code – Article XVIII, Section 147-64.

Mr. Craft made a motion, seconded by Mr. Conrad, to schedule a Public Hearing for June 18, 2007 at 6:00 p.m. to receive comments on changing Article XVIII, Section 147-64 – Assessment of Conviction Fees from $5.00 to $10.00 as proposed. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Ms. Ferguson asked that the Board consider the proposed bids for installing, terminating and testing the telephone and date cabling in the renovated portion of the County Administration Building.

Mr. John Spencer presented the bids that were received for the Administration Building Cable Contract.

Based on the scope of work, the prices received were a follows:

CommWorld	$11,990	base
	2,206	add alternate
	$14,196	Total
James River	$14,138.87	base
	190.00	add alternate
	$14,328.87	Total
DVD	$14,350	base
	600	add alternate
	$14,950	total

Recommendation is to accept the low bid of CommWorld for $14,196.00 for the cabling project, including the add alternate that involves terminating the voice cables on the network patch panel instead of the traditional 66 block.

Mr. Conrad made a motion, seconded by Mr. Craft, that the County enter into a contract with CommWorld for the cabling project for the renovated portion of the County Administration Building in the amount of $14,196.00. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **CONSENT AGENDA:** (Items 7-14)

7. **Approval of Minutes:** Please approve minutes of Public Hearing FY2008 Budget on 4/16/2007; BOS Meeting on 4/16/2007; Budget Meeting on 4/23/2007; BOS Meeting on 5/7/2007; Public Hearing on the 460 Corridor Study on 5/21/2007; Public Hearing on Zoning Ordinance changes on 5/21/2007; Public Hearing on Zoning Petitions on 5/21/2007 and Board Meeting on 5/21/2007.

8. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

9. **Court Services Unit:** Please appropriate by consent and supplement $14,885.00 to 2109-3009 in the Court Services Unit budget to pay for Juvenile Detention.

10. **Commonwealth Attorney:** Please appropriate by consent and supplement $40,094.68 to the following line items in the Commonwealth Attorney's budget for additional positions approved by the Compensation Board for FY2007:

2201-1001 – Salaries	$32,533.08
2201-2001 – FICA	2,489.78
2201-2002 – VRS	4,675.00
2001-2006 – Life Insurance	396.90

11. **Sheriff's Department:** Please appropriate by consent and supplement $839.56 to 3102-1002 – Regular Overtime in the Sheriff's Budget for reimbursement received from the school and Express Lane for officers performing security.

    Please appropriate by consent and supplement $100.00 to Office Supplies in the Sheriff's budget for donation received from the Lions Club for the Dare Program.

    Please appropriate by consent and supplement $268.94 to 3102-5504 – Travel in the Sheriff's budget for reimbursement received from the Virginia Sheriff's Institute.

12. **Animal Control:** Please appropriate by consent and supplement $20.00 to 3501-5402 – Food in the Animal Control budget for a donation received from a citizen.

13. **E 911:** Please appropriate by consent and supplement $564.31 to 3606-5203 – Telephones in the E911 budget for refund received from Verizon.

LINE ITEM TRANSFERS:

14. **Library:** Please transfer by consent $699.00 to 7301-7001 – Equipment in the Library budget from 1101-5804 – Operating Reserve in the Board of Supervisors budget.

Ms. Ferguson called attention to some corrections and additions to the Minutes.

Mr. Moore made a motion, seconded by Mr. Conrad, to approve the **CONSENT AGENDA** as presented with corrections and additions to minutes as noted. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes).

Mr. Carter next presented the **INFORMATIONAL ITEMS:** (Items 15-18)

15. **High Bridge Trail:** Progress report on the High Bridge Trail project.
16. **Appomattox County Public Schools:** Copy of Resolution adopted by the School Board on May 24, 2007 concerning "No Child Left Behind".
17. **Robert E. Lee Soil & Water Conservation District:** Minutes of the Robert E. Lee Soil and Water Conservations District Board meeting held on April 26, 2007.
18. **Town of Appomattox:** Letter from the Town of Appomattox stating that they have changed their minds about a joint meeting, at this time.

    Also, a letter from the Department of Health approving the Town's request for an operational permit for D&M of biosolids.

19: **SUPERVISOR CONCERNS:**

Mr. Conrad – Concerning the Water Line, in watching the town meeting on TV he got the impression that it was our attitude that more or less took care of this issue. He would like to say that we do not have an attitude issue, but basically that we had voted on this issue and decided on the direction we would take. We were willing to have an open discussion on this issue.

Mr. Armbrust - He agrees with Mr. Conrad. He apologizes to the Town if they think he was negative. The time to talk is now. This needs to be a cooperative effort.

He also feels that we need to move forward with what had been done tonight. He stated his position on the B-1 district - a school in the business district. He feels we need to look at the safety of the children, traffic, right of ways and access.

Mr. Craft – He feels we need sound zoning practices. We have some situations in the County at the present time and we do not know what the outcome will be. If in the past, we had had sound zoning practices, we would not have the problems we have today.

Mr. Armbrust – We set ourselves up for conditional use, when we could have just said NO.

20. **Closed Session:** The County Administrator has requested a closed session under Code Section 2.2-3711(A)(1) Personnel, to discuss an increase in salary for a County Employee.

Mr. Craft made a motion, seconded by Mr. Armbrust, to enter into closed session under Section 2.2-3711(A)(1) – Personnel for the purpose of discussing salary increase for county employee. VOTE: Mr. Armbrurst, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Craft made a motion, seconded by Mr. Armbrust, to return to regular session. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then read the following Certification Statement:
WHEREAS, *this Board convened in a closed meeting under § 2.2-3711(A)(1)– Personnel- of the Code of Virginia, for the purpose of discussing salary increase for a County Employee.*

AND WHEREAS, *no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.*

NOW BE IT CERTIFIED, *that only those matters as were identified in the motion were heard, discussed or considered in the meeting. I Call the Question:*

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter called for action from the closed session.

Mr. Conrad made a motion, seconded by Mr. Armbrust, that the County Administrator be given the responsibility to make the determination on a pay raise for person discussed in closed session according to work ethics, ability and plans achieved. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then reminded everyone of the **UPCOMING MEETINGS:**

Thursday, June 7, 2007
3:30 – 4:30 p.m. School Administration Building
Meet Dr. Boone, New Superintendent of Schools

Friday, June 8, 2007
10:00 a.m. Carver-Price Education Complex
CVCC Ribbon Cutting Ceremony

Regular Scheduled Meeting
Monday, June 18, 2007
6:30 p.m.
Community Center

Regular Scheduled Meeting
Monday July 2, 2007
6:30 p.m.
Community Center

At 7:40 p.m. Mr. Craft made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter, Chairman

On Monday, June 18, 2007 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a joint Public Hearing at 6:15 p.m. to receive comments on the Proposed Amendment to the Telecommunications Facilities Section of the Zoning Ordinance.

PRESENT (Board of Supervisors:
Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad - Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):
George Almond - Chairman
Calvin Tanner
Steve Conner
Al Sears
Marvin Mitchell
Barry Morris

ABSENT (Planning Commissison):
Shannon Dews
Bryan Baine – Vice-Chairman
Susan Hudson
Kevin O'Brien

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator
Johnnie Roark, County Planner

At 6:15 p.m. Mr. Carter opened the Public Hearing and stated the purpose of the Public Hearing was to receive comments on the Proposed amendments to Article XX – Telecommunications Facility Ordinance.

Mr. Carter then turned the meeting over to Mr. Roark.

Mr. Roark commented that these changes are necessary to synch up the Planned Industrial Park section with the Telecommunications section. These changes will increase opportunities for technology infrastructure (possibility of wireless broadband extension) to be placed in the park and giving the County another tool by which to market the park. Mr. Roark then read the following:

Zoning Ordinance

The following amendments are being made to **Article XX-Telecommunications Facility Ordinance**:

Amend Text:

Section 170-113-Permitted Uses

(A) Co-locations in the following zoning districts: A-1, B-1, M-1, M-2, and *M-IP* provided that the height of the existing structure is not increased more than 20 feet of its original permitted height.

(C) New construction towers that do not exceed 199 feet in height that are proposed for siting in a B-1, M-1, M-2, and *M-IP* zoning district, provided the site does not border a lot zoned H-1, R-1, R-2, or V-1.

Section 170-114 Conditional Uses

(A) New construction towers that do not exceed 199 feet in height that are proposed for siting in an A-1, B-1, M-1, M-2, or *M-IP* zoning district bordering an H-1, R-1, R-2, or V-1 district.

(B) New construction towers that exceed 199 feet in height that are proposed for siting in an A-1, B-1, M-1,
M-2, or *M-IP* zoning district.

Appendix-Summary of Permitted and Conditional Uses
Add to table

Zoning District	Co-Location	New Tower < 50 feet	New Tower 51-199 Feet	New Tower 200'or More
M-IP	*P**	*P*	*P***	*C*

Mr. Carter called for comments.

Hearing none, at 6:18 p.m. Mr. Carter closed the public hearing.

_____
Samuel E. Carter, Chairman

On Monday, June 18, 2007 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT:
Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator

John G. Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator
Johnnie Roark, County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Armbrust to deliver the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter then called for **Setting of the Agenda:**
Change Item 11: from $50.00 to $200.00
Change Item 13: from $364.70 to $729.40
Add: Item 12A: Legal Services.
Add: Item 12B: Litter Grant.
Add: Item 14A: Asset Forfeiture Fund.

Mr. Carter then called for the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern for the citizen.

There were no comments at this time.

Mr. Carter next called attention to the **ADMINISTRATIVE ITEMS:** (Items 1-3)

1. **Regional Jail Authority Agreement:** We have received the revised Regional Jail Authority Agreement. You will remember when the agreement was adopted in January, there were some dollar figures that were not firm. Item 6 contains the new figures. Mr. Overstreet felt that the Board would need to readopt the agreement due to these changes.

AGREEMENT

THIS AGREEMENT, is entered into by the Blue Ridge Regional Jail Authority (the "Authority"), the County of Bedford, the City of Bedford, The County of Campbell, the County of Halifax and the City of Lynchburg (the "Original Members") and the County of Appomattox and the County of Amherst (the "New Members"), this 1st day of July, 2007.

WHEREAS, the Blue Ridge Regional Jail Authority Amended and Restated Service Agreement (the "Service Agreement") was entered into by the Authority and the Original Members on July 28, 1997; and

WHEREAS, the Counties of Appomattox and Amherst have requested to join the Authority as members; and

WHEREAS, the Virginia General Assembly has approved language in the Appropriations Act authorizing Appomattox County and Amherst County to join the Authority and for the Authority to submit a Planning Study and Community-Based Corrections Plan to the Virginia Department of Corrections by March 1, 2007 for the construction of a new facility to be built in Amherst County and operated by the Authority to replace the existing Amherst and Appomattox jails and the Moneta facility currently operated by the Authority, with the understanding that if the Planning Study and Community-Based Corrections Plan are approved the Commonwealth will fund 50% of the eligible costs of constructing the new facility, which studies have been submitted; and

NOW THEREFORE, it is agreed by the parties as follows:

1. Addition of Members.

Pursuant to Section 6.7 of the Service Agreement, the Authority and the Original Members agree to add Appomattox County and Amherst County as members of the Authority, effective as of July 1, 2007, and subject to the remaining provisions of this Agreement.

2. Membership on Authority Board.

Pursuant to Section 2.2 of the Service Agreement, Appomattox County and Amherst County shall each have two representatives on the Board of Authority. One member shall be the sheriff of each county, and the non-sheriff board member shall be appointed by the governing body of each county for an initial term ending June 30, 2010, and then for three year terms. Alternates may be appointed in writing by the sheriff or by the governing body.

3. Construction of New Facility.

The Authority shall proceed with the planning for the construction of a new regional jail facility in Amherst County (the "Amherst County Adult Detention Center") to serve the local detention need of Appomattox County and Amherst County, as well as to replace the existing Moneta facility currently operated by the Authority in Bedford County. The facility may also be used by the Authority for any of its purposes, including housing contract inmates. This shall include the submission of a Planning Study and Community-Based Corrections Plan to the Virginia Department of Corrections, and taking all necessary steps to secure state funding of 50% of the eligible costs of constructing the new facility.

4. Operation of Appomattox and Amherst Jails.

Until such time as the Amherst County Adult Detention Center is open, the Amherst County sheriff and the Appomattox County sheriff will continue to have operational control of the existing Amherst and Appomattox jails, and the Authority will have no responsibility for operating either of the local jails.

5. Payments by Appomattox and Amherst County.

Upon the completion and placing in operation of the Amherst County Adult Detention Center, Appomattox and Amherst counties agree to pay the Per Diem Charge (as defined in Article V of the Service Agreement) to the Authority on the same basis as the Original Members. This shall include both the Operating Component and the Debt Service Component. The initial payments for Amherst and Appomattox Counties for the first year that the Amherst County Adult Detention Center is in operation (or partial year) shall be based on the number of local inmates from each jurisdiction during the twelve month period immediately prior to the Amherst County Adult Detention Center being placed into service.

6. Additional Payments by Amherst and Appomattox Counties.

(a) The bond documents require the Authority to reserve an amount equal to 60 days of its operating budget, excluding debt service, in an Operating Reserve Account. When the Amherst County Adult Detention Center is placed in service, Amherst and Appomattox agree to fund their portion of the Operating Reserve which is not funded through debt service on the basis of their proportional share of inmates from all of the Member Jurisdictions in the twelve month period immediately prior to the Amherst County Adult Detention Center being placed in service. For example, it is estimated that Amherst County will have 9% of the inmates as of July 1, 2010, and Appomattox County will have 4% of the inmates as of that date. Assuming an Operating Reserve Requirement of $3,531,116 of non-borrowed funds ($4,681,788 total less $1,150,673 borrowed), Amherst would have to contribute $316,397 and Appomattox would have to contribute $143,274 to the Operating Reserve Account.

(b) The Authority also currently has a Capital Reserve Account. When the Amherst County Adult Detention Center is placed in service, Amherst and Appomattox agree to fund their portion of the Capital Reserve Account on the basis of their proportional share of inmates from all of the Member Jurisdictions in the twelve month period immediately prior to the Amherst County Adult Detention Center being placed in service. For example, it is estimated that the balance of the Capital reserve Account will be $2,041,379 on July 1, 2010. Assuming that Amherst has 9% of the inmates as of that date, and Appomattox has 4% of the inmates, Amherst would have to contribute $182,950 and Appomattox would have to contribute $82,845 to the Capital Reserve Account. The amount of the Capital Reserve Account on the date the Amherst County Adult Detention Center is placed into service will not exceed $2,041,379.

(c) The Authority also currently has a policy that requires it to maintain a General Reserve Account, above and beyond the Operating Reserve, of at least 5% of budgeted total revenues.

When the Amherst County Adult Detention Center is placed in service, Amherst and Appomattox agree to fund their portion of the General Reserve Account, based on each jurisdiction's share of inmates from all of the Member Jurisdictions in the twelve month period immediately prior to the Amherst County Adult Detention Center being place in service. For example, it is estimated that the requirement for the General Reserve Account will be $1,625,612 as of July 1, 2010. Assuming that Amherst has 9% of the inmates as of that date, and Appomattox has 4% of the inmates, Amherst would have to contribute $145,659 and Appomattox would have to contribute $65,959 to the General Reserve Account.

(d) The Authority agrees to fund the required contributions of Amherst and Appomattox to the Operating Reserve Account, the Capital Reserve Account and the General Reserve Account set forth in (a) through (c), to the extent that the Authority has funds in the General Reserve Account on the date the Amherst County Adult Detention Center is placed into service above the required amount set forth in (c). To the extend that such funds are not available, Amherst and Appomattox shall fund the balance when requested to do so by the Authority. To the extent the Authority funds the required contributions, Amherst and Appomattox agree to pay the Authority in equal annual installments not to exceed five. Either Amherst or Appomattox have the option to repay the amounts over a shorter period. This amount shall include interest at the rate of 4% on the outstanding balance figured on an annual basis. The Authority shall, at the end of each fiscal year that it receives a payment from Amherst or Appomattox, refund the amount of the payment to the Original Member Jurisdictions, based on the percentage of inmates among those jurisdictions only for the previous twelve month period, or shall apply the amount to the next required quarterly payment from those jurisdictions, at the option of each jurisdiction.

(e) When the Amherst County Adult Detention Center is placed in service, Amherst and Appomattox agree to pay the five Member Jurisdictions who constructed the original jail facilities $211,538 as an equity payment to fund the interest of Amherst and Appomattox in pre-existing facilities of the Authority of which they will have beneficial use. The amount of the payment from Amherst and Appomattox will be based on their relative percentage of local inmates as to each other in the twelve month period immediately prior to the Amherst County Adult Detention Center being placed in service. Amherst and Appomattox agree to pay the required amount to the Authority by August 1 following the date the Amherst County Adult Detention Center is placed in service. The Authority shall refund the amount of these payments to the original five Member Jurisdictions, based on the percentage of inmates among those jurisdictions only for the previous twelve month period, or shall apply the amount of these payments to the next required quarterly payment from those jurisdictions, at the option of each jurisdiction.

7. Sale of Property to Authority by Amherst County.

Amherst County agrees to sell property which the County recently purchased as a site for the Amherst County Adult Detention Center. The property shall consist of 23.623 acres as shown as New Parcel A on a plat prepared by Hurt & Proffitt entitle Plat Showing Subdivision of the Property of the Board of Supervisors of Amherst County, Elon Magisterial District, Amherst County, Virginia, revised April 10, 2007. The property shall be transferred by general warranty deed, subject to easements and restrictions of record. The Authority shall pay Amherst County $82,860 for the property. The Authority shall have the right to close on the purchase of the property at any time prior to the beginning of the construction of the Amherst County Adult Detention Center. Amherst County certifies that the property is zoned for a regional jail to be constructed and operated on the property, and that no further zoning appeals are needed by the Authority to construct the Amherst County Adult Detention Center.

8. Financing the New Facility.

The Original Members and the New Members authorize the Authority to issue long-term financing for the local portion of the funds needed for the construction of the Amherst County Adult Detention Center, and to issue short-term notes for the Commonwealth's portion of the funds needed for construction, since the Commonwealth will reimburse the Authority following the completion of construction.

9. Employees of the Authority.

When the Amherst County Adult Detention Center is opened, the Authority agrees to offer employment to those deputy sheriffs from Amherst County and Appomattox County that the respective sheriffs designate as jail

deputies. These deputies shall be placed on the Authority's salary schedule as determined by the Authority, and shall have no right to any specific salary. Such employees will also be entitled to the benefits offered by the Authority, to the extent those are different from those offered by the counties. Such employees shall be considered new employees for purposes of a probationary period, and shall have no right to continued employment because of their previous employment with either of the county sheriff's offices.

10. Payments by Amherst and Appomattox Counties prior to the Opening of the Amherst County Adult Detention Center.

Amherst County and Appomattox County agree to be responsible for one-half the cost of the Community-Based Corrections Plan and Planning Study, payment for which shall be made to the Authority no later than July 31, 2007. In addition, in the event that the Commonwealth does not reimburse the Authority for the other one-half of the Community-Based Corrections Plan and Planning Study, Amherst County and Appomattox County agree to be responsible for the amount that is not reimbursed. In addition, Amherst County and Appomattox County agree to make a payment to the Authority in both fiscal year 2008 and fiscal year 2009 of $50,000 per year to reimburse the Authority for the time Authority employees and consultants spend on the construction of the Amherst County Adult Detention Center. Payment shall be made by September 1, 2008 and September 1, 2009. The above payments from each County shall be based on the percentage of inmates from each jurisdiction as to each other in the previous fiscal year.

11. Provisions of Service Agreement.

The adoption of this Amendment shall not relieve the Original Members from any of their obligations under the Service Agreement. By agreeing to this Amendment, Amherst County and Appomattox County agree to be bound by the terms of the Service
Agreement, in particular Section 4.3, 4.4, Article V, and Section 6.6. All of the parties agree that they will commit to the provisions of Section 4.3 until the final payment or defeasance of any Notes, Bonds or other temporary or permanent financing for the renovation and construction of the Initial Regional Jail Facilities issued or obtained by the Authority as well as the final payment or defeasance of any Notes, Bonds or other temporary or permanent financing for the construction of the Amherst County Adult Detention Center.

12. Notices to Amherst and Appomattox.

As set forth in Section 10.2 of the Service Agreement, notices to either Amherst County or Appomattox County shall be sent to the County Administrator.

13. Withdrawal of Amherst and Appomattox.

If the Commonwealth of Virginia does not provide funding for 50% of the eligible costs of constructing the Amherst County Adult Detention Center, the Authority shall have no obligation to construct or operate the Amherst County Adult Detention Center or to accept inmates from either Amherst or Appomattox, and upon an affirmative vote of the majority of the Authority members from the jurisdictions other than Amherst and Appomattox, Amherst and Appomattox agree that they will withdraw as members of the Authority with no right to recover any payments they have made pursuant to this Agreement.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed as of date above written.

City of Lynchburg	by: L. Kimball Payne, III – City Manager
Bedford County	by: Kathleen D. Guzi – County Administrator
City of Bedford	by: Charles Kolakowski – City Manager
Campbell County	by; R. David Laurell – County Administrator
Halifax County	by: Bryan Foster – County Administrator
Amherst County	by: Rodney E. Taylor – County Administrator
Appomattox County	by: Aileen T. Ferguson – County Administrator

After a brief discussion, Mr. Conrad made a motion seconded by Mr. Armbrust to adopt the amended Regional Jail Authority Agreement. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Also, in approving the new agreement you will need to adopt a resolution appointing members to the Authority. The Sheriff is automatically a member of

the authority and in most cases the County Administrator is the other representative with the Assistant Administrator as the alternate.

RESOLUTION

WHEREAS, The Blue Ridge Regional Jail Authority Service Agreement dated November 10, 1994, as amended, states that members of the Authority Board (other than sheriff's) shall be appointed by the governing body; and

WHEREAS, Appomattox County will become a member of this Authority as of July 1, 2007; and

WHEREAS, the governing body of each jurisdiction has been requested by the Authority to appoint a member and an alternate for a term commencing July 1, 2007 and ending June 30, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Appomattox County that Aileen T. Ferguson is hereby appointed as a member of the Blue Ridge Regional Jail Authority and John K. Spencer, Jr. is appointed as the alternate for such member, each for a term commencing July 1, 2007 and ending June 30, 2010.

Mr. Armbrust made a motion, seconded by Mr. Moore, to adopt the above resolution appointing Aileen T. Ferguson, as a member of the Blue Ridge Regional Jail Authority and John K. Spencer, Jr. as the alternate for such member, each for a term commencing July 1, 2007 and ending June 30, 2010. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Possible Workforce Investment Area Consolidations:** We have received a letter from Gov. Kaine seeking comments on possible Workforce Investment Area realignments in order to reduce program costs. The Region 2000 Workforce Investment Board serves Appomattox, Amherst, Bedford and Campbell counties and the City of Bedford & Lynchburg. The agency has worked hard to become a model WIB and has provided us a list of accomplishments to justify why its geographic service boundaries should not be changed.

   Recommendation is to write a letter to Governor Kaine to keep the boundaries of the Region 2000 Workforce Investment Board as they now exist.

Mr. Conrad made a motion, seconded by Mr. Craft, to write a letter to Governor Kaine requesting that the Region 2000 Workforce Investment Board boundaries remain as they are and should not be changed. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Public Hearing to Amend the Courthouse Security Fee:** On June 4, 2007 the Board agreed to hold a public hearing to amend the Courthouse Security Fee on June 18, 2007 at 6:00 p.m. We were unable to get the public notice to the newspaper in time to hold the public hearing on the 18th, so it is suggested this be re-scheduled for July 2nd, at 6:15 p.m.

Mr. Craft made a motion, seconded by Mr. Armbrust, to hold a public hearing on July 2, 2007 at 6:15 p.m. to receive comments on amending the Courthouse Security Fee.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **CONSENT AGENDA:** (Items 4-14)

4. **Approval of Minutes:** Please approve minutes of the June 4, 2007 meeting.
5. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

6. **Treasurer:** Please supplement by consent and appropriate $9,121.37 to 1213-3010 in the Treasurer's budget for DMV fees collected.

7. **Pamplin Volunteer Fire Department:** Please supplement by consent and appropriate $4,719.14 to 3202-5305 for funds received by the insurance company.

8. **CSA:** Please supplement by consent and appropriate $85,000.00 to 5310-3001 in the CSA budget for services provided for the month of May, 2007.

9. **Clerk of Court:** Please supplement by consent and appropriate the following:

2106-3010 – Data Processing	$6,879.27
2106-7001 - Equipment	6,558.08

Monies will be reimbursed to the County.

10. **Library:** Please supplement by consent and appropriate $663.33 to the Library budget in the following line items for donations received, book sales, etc.

7301-5401	$431.19
7301-5411	32.14
7301-5415	200.00

LINE ITEM TRANSFERS:

11. **Court Services Unit:** Please transfer by consent $200.00 to 2109-3009 in the Court Services Unit budget from 1101-5804 Operating Reserve in the Board of Supervisors Budget.

12. **Jail:** Please transfer by consent $17,073.00 from 1101-5804 Operating Reserve to take care of expenses for the jail:

3301-3001	$8,919.00
3301-3009	8,154.00

12A. **Legal Services:** Please transfer by consent $400.00 from 1101-5804 Operating Reserve in the Board of Supervisors budget to 1204-3010 Courthouse in the Legal Services Budget.

12B. **Litter Grant:** Please transfer by consent $100.00 from 1101-5804 Operating Reserve in the Board of Supervisors budget to 4206-5401 Office Supplies in the Litter Grant budget.

FUND TRANSFERS:

13. **Law Library:** Please approve by consent payment of bill in the amount of $729.40 from the Law Library Fund.

14. **Fund Transfers to General Fund:** Please transfer by consent the following from the various funds into the General Fund.

E 911	$300,000.00
Courthouse Security	14,000.00
Comprehensive Services Administrative Funds	9,200.00
Courthouse Maintenance	15,000.00

14A. **Asset Forfeiture Fund:** Please approve payment of $29,311.91 from the Sheriff's Asset Forfeiture Account to pay bill to Southern Police Equipment.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** with attachments and edits as stated. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then called attention to the **INFORMATIONAL ITEMS:**

15. **Appomattox County Public Schools:** Monthly financial report for May 2007 from the Appomattox County Public School System.
16. **Town of Appomattox:** Town Council agenda for the June 11, 2007 Town Council meeting.
17. **Department Reports:** Monthly reports from various County departments:
    a. Parks, Recreation & Tourism
    b. Animal Warden
    c. Landfill
    d. Planning Division
    e. Building & Housing

Mr. Carter then called for **SUPERVISOR CONCERNS:**

Mr. Armbrust stated he had a concern regarding Land Use Assessment.

Mr. Overstreet stated that before we can discuss the Land Use we need to go over the Declaration. He then read the declaration from the Conflict of Interest section of the Cove of Virginia, because Mr. Moore and Mr. Armbrust, both own land which may be eligible for Land Use Taxation. Section 2.2-3112.A.2 and 2.2-3115 G – Code of Virginia: "I hereby declare that I have a personal interest in the transaction of adopting Land Use Taxation in Appomattox County by virtue of my ownership of real estate in the County which may be eligible for Land Use. Therefore, I am a member of a group that may be affected by this transaction."

"I declare that notwithstanding the above, I am able to participate in this transaction fairly, objectively and in the public interest."
Mr. Moore and Mr. Armbrust acknowledged this declaration.

Mr. Armbrust: His concerns on bringing up the Land Use Assessment is that a lot of his constituents have called him and he has listened to them. When the motion came up the other night he held his vote because we have looked at it as a lot of unknowns.

The Commissioner of Revenue has told us his figures are $500, $600, $800 and where does the burden come from. There has got to be help for the farmers. But we can't take it from our children, our schools, or by taxing our homeowners to death. He believes there has to be a happy medium to help the farmers. He has no problem with the Commissioner leaving things at the current value, or a maximum of $1,500.00 an acre. Our Commissioner of Revenue is leaving and there will be a new Commissioner coming in. He wants to support the farmers in the land use but he feels we need to look at maybe re-visiting this next year after the new Commissioner of Revenue comes into office. How can you vote on something that you don't know about. How can you vote when they tell you $500, $600, $700 – he just doesn't see taking this from the homeowners totally. He thinks Land Use could be a part of Appomattox County. This would not be implemented this year, it comes into effect in 2008. Again, he thinks this should be re-visited after the new Commissioner of Revenue takes office.

Mr. Carter: He, too, would like to comment on Land Use Taxation. He then read the following statement:
"The subject of "Land Use" is on everyone's mind from the citizen that farms, to residential owners, to the Board of Supervisors. We as a county are currently going through a re-assessment that has been pronounced as a rise in land value that the county has never experienced before. Because of this, the Board has been asked to adopt an Ordinance to relieve the hardship/burden that will be placed upon a select population.

This Board understands this burden but we first need to know all of the facts and data prior to any action to be taken. This includes, (1) how many citizens qualify for this relief; (2) how many will actually participate that qualify; (3) what is going to be the price per acre; (4) what impact will this have across the county and (5) how are we going to supplement the loss, and the other unknowns that this may bring?

This is a unique process that requires the Boards across the counties to put forth an Ordinance without knowing the ramifications it imposes on a county as a whole. Quite simply put, we are left with our hands handcuffed because of the unknown. Some say that most of the counties in the Commonwealth already have this Ordinance in place, but we need also to remember that we are not like the majority of these counties with a good tax base to draw from.

We must look at the global picture on how it effects our citizens and the future of this county. It's not a question on not being able to satisfy everyone or even just a few, but it's WHAT'S BEST FOR THE ENTIRE COUNTY.

Because of not being in the position of knowing even a few facts, how can you cast a vote in the blind?"

Mr. Carter asked if there were any other items to come before the Board?

At 6:50 p.m. Mr. Carter adjourned the meeting until 7:00 p.m.

UPCOMING MEETINGS

Public Hearing
Monday, July 2, 2007
6:15 p.m.
Community Center

Regular Scheduled Meeting
Monday, July 2, 2007
6:30 p.m.
Community Center

Regular Scheduled Meeting
Monday, July 16, 2007
6:30 p.m.
Community Center

At 8:05 p.m. Mr. Armbrust made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter, Chairman

On Monday, June 18, 2007, the Appomattox County Board of Supervisors, the Appomattox County Planning Commission, the Appomattox Town Council and the Appomattox County Board of Zoning Appeals held a Public Hearing at 7:00 p.m. at the Appomattox County Community Center, Community Lane, Appomattox, Va. for the purpose of receiving comments on the Zoning Petitions before the Planning Commission.

PRESENT (Board of Supervisors):
Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):
George Almond - Chairman
Calvin Tanner
Steve Conner

Al Sears
Barry Morris
Marvin Mitchell
Susan Hudson
Bryan Baine – Vice-Chairman
Shannon Dews
Kevin O'Brien

PRESENT (Appomattox Town Council):
John Wilson, Mayor
N. H. "Jimmy" Mayberry
Joyce Bennett
John Williams
Jennifer Scruggs
Steve Lawson

ABSENT (Appomattox Town Council):
Lewis McDearmon

PRESENT (Board of Zoning Appeals):
Clifford Harvey
James Cheatham
Dot Wooten
Dale Campbell

ABSENT (Board of Zoning Appeals):
Wesley Hamlett

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator
Johnnie Roark, County Planner
Roxanne Paulette – Town Clerk
Frank Wright – Town Attorney

At 7:00 p.m. Mr. Carter opened the public hearing and read the following statement:

This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox Town Council, the Appomattox County Planning Commission and the Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item

exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Roark.

Mr. Roark stated that tonight they would introduce more information via a Power Point presentation on the petitions being presented, including details on location and surrounding areas . He then read the first petition:

CUP07002 – Carol Donato/Elizabeth Jenkins, Richmond Highway (Route 460): Applicants are requesting a Conditional Use Permit for property located at 3393 Richmond Highway (Route 460), Tax Map #73 (A) 23A and zoned Commercial District (B-1), in order to locate an off-premise sign on the property known as Frank's Place and owned by Carol Donato. Ms. Jenkins business is located on Susie Alice Drive approximately 0.5 miles away from this location.

This sign would be approximately 16 square feet in size and located at the same location as the sign for "Frank's Place", located on the property.

Mr. Roark called for comments for this petition:

Mrs. Elizabeth Jenkins stated she provides a local service that is currently not available in the area.

Mr. Roark asked for comments against this petition. Hearing none, he read the next petition:

Mr. Roark commented that he would present the next two (2) petitions together as the Vera Church of God (CUP07003) which is a Conditional Use Permit and Lawson Family LLC (RZ07002) which is a rezoning request for a private school related to the Cornerstone Christian Academy.

CUP07003 – Vera Church of God/Kevin O'Brien , Vera Lane (Route 655): Applicant is requesting a Conditional Use Permit for property located at 212 Vera Lane (Route 655) in order to locate a private school on the property in addition to the current use as a church. This location would be used temporarily by Cornerstone Christian Academy until a permanent location can be found. Property is Tax Map #41(A)79 and is zoned Village Center District, V-1.

RZ07002 AND CUP07004 – Lawson Family LLC/Cornerstone Christian Academy, Police Tower Road (Route 613): Applicants are requesting to rezone a 3 acre portion of property located on Police Tower Road (Route 613 between Richmond Highway (Route 460 and 3rd Division Road (Route 341) from Industrial District M-1 to Commercial District B-1. (RZ07002) The property is known as the former garment factory (Courtland Manufacturing) and the buildings have been used for warehousing for several years. They are also requesting a Conditional Use Permit (CUP07004) to use the existing building as a school. Entrance would be from the Police Tower Road side of the property. The building is located to the rear of the property approximately 500 feet

from any public right of way. Property is Tax Map #'s 63(A) 9 and 63(A) 11 (portions of).

Mr. Roark called for comments on these petitions.

Carl Reeves, 457 Red House Road, Appomattox, VA: He sat in the last meeting of the Planning Commission and a comment was made regarding spot zoning. He read the following item from "The Planners Web-Planning Commissioners Journal". "While rezoning decisions that only affect a single portion or a small amount of land are most often the subject of spot zoning claims as opposed to rezoning large areas, a locality can lawfully rezone a small portion if its action is shown to be consistent with the areas land use policies." He also stated that since this has been discussed and they have been trying to get this done for some time, there has been some rumors that he would like to squelch. One rumor in particular is that a certain real estate firm would be getting rich off this deal. He would like to assure you, no real estate firm is involved in this at all. Most that are here this evening are here in favor of this being done. The location is somewhat isolated as you have seen from the presentation, but it is very convenient. In addition to the building, they would also own the entrance from Police Tower Road. With sixty (60+) plus students at this time, a full facility, and a full staff, if they cannot find a building, they will have to go outside the county. We do not prefer to have our children in public school, not that there is anything wrong with the public school system, we just prefer a Christian school. This is a great need for this community and the county and we have a lot of choices in grocery stores, and many other things, why not a choice in schools.

Mr. Armbrust questioned Mr. Reeves about the use of the entrance road from Police Tower Road being limited to use by the school. Reply was they had not considered this at the present time.

Dr. Hubler, 618 Redfields Road, Appomattox, VA: As Mr. Reeves has alluded to, we represent about sixty (60) children at present and those represent twenty (20) some churches in our community. The Vera property represents a beautiful and ready to go facility to accommodate us today. We ask that you grant the petition so our school can open this next year. The second petition, Route 460, represents a future campus and we would not have to ever build another outside wall or pour another foundation. All of our events and class rooms would go within those walls and he has learned a lot about zoning issues that different people and different counties do. He thinks both the Vera and Route 460 are excellent locations. Schools are always an enhancement to a community. He feels they can secure the 460 property, as it is set back from the highway and there would be no traffic other than the dropping off and picking up of students. He asks that both of these petitions be approved.

Ms. Marcy Jones, 2101 Salem Road, Spout Spring, VA: She is the head mistress for Cornerstone Christian Academy. She wonders if any of you realize how many hundreds of people have kept you in prayer for these six (6) plus weeks. Not just the normal Sunday prayers asking the Lord to guide you in your role as the governing body of Appomattox County but prayers asking the Lord to grant you wisdom and discernment in making a decision that will have an immediate affect on sixty (60)

children and their families as they seek a Christian education that is spiritually safe and academically superior. These are not just the prayers of parents, grandparents, aunts and uncles, they are also the prayers of children – those enrolled in Cornerstone Christian Academy. I sat in my church yesterday morning and listened to the prayer of a young boy. He prayed as he has for the past few Sundays. A simple prayer from his heart and lips to God's ears. "God be with our new school". I ask you to remember this child and his schoolmates as you prayerfully determine the future facilities for Cornerstone Christian Academy. She quoted Isaiah 28:16 "So this is what the Sovereign Lord says: "See I lay a stone in Zion, a tested stone, a precious cornerstone for a sure foundation; the one who trusts will never be dismayed".

Miss. Clarissa Hubler, 618 Redfields Road, Appomattox, VA: I have been in a Christian school environment since kindergarten. This fall I will be in the 10th grade at Cornerstone Christian Academy. For two (2) years I went to a school that was in a different county from where I lived. It took 30 to 45 minutes to travel one way. This was inconvenient for my parents because of the price of gas and having to be in the car for two to two and one-half hours a day. This was also hard on my siblings and myself. We were up very early in the morning, we all got carsick, and it was difficult to work after school and we were not able to see our friends that often. As you can see, it was not a very joyable experience. Right now, Cornerstone has about 60 students enrolled. They come from good families so we have a school and all we need is a building. We have a building that we would like to purchase but we need permission to have a school there. Thanks to the Vera Church of God, our school also has a place to rent while they look for our building. We need permission to have our school there too. It would be so much more convenient, not only to my family, but to the schools parents if we were able to have our school in Appomattox instead of another county.

Ms. Dorine Loy, 2110 Becham Road, Concord, VA: I would like the Board of Supervisors to support the Vera Worship Center's Conditional Use Permit as well as the Lawson Building Variance and Conditional Use Permit. I would like to say, as a parent that would have a son in that school, I don't see that building or that area as a threat to my son or put him in danger in any way. Even at the school we just came from, we had to do our best to maintain safety on the road from the parking lot to the school building. I would also like to say that another private school in this area will benefit our community. I do not see how it could be a detriment in anyway. I would also like to say that we are not trying to be a threat or be a competitor to any other educational institution in this area. We would like for our school to have a chance and we need that building to do it in.

Ms. Millie Drinkard, 1586 Trent's Mill Road, Appomattox, Va: I have been an educator for 22 years, 16 of those years have been at Appomattox Primary School teaching kindergarten and first grade. This past year I had the privilege of teaching first grade at a private classical Christian school and what a difference a year can make. There is such a need for better education for the children of Appomattox. As we all are aware, these children will be the future leaders of our county. Many parents of this county are looking for a safe, well rounded education, where discipline is enforced and respect for self and others is expressed daily. These parents do not want to travel outside of the county to have their children educated. Sadly, there are many parents

whose children do travel to Lynchburg or Farmville to attend private schools. These are excellent schools, but wouldn't it be nice for these children and parents to stay in Appomattox where there is an excellent private classical Christian school available. Cornerstone Christian Academy is that school. Please support the Vera Worship Center's request for a Conditional Use Permit for a school at their church. This will allow our students and parents the peace of mind of knowing that we have a temporary place to start our school year. Also, please support the Lawson Family's request for a Zoning Variance and Conditional Use Permit for our school. This will allow our students and parents the peace of mind of knowing that we have a permanent home to complete our school year as well as many years to come. I leave you with this thought – public education cost hundreds of dollars; private education out of the county cost thousands of dollars; a safe classical Christian education for the future leaders of our county at Cornerstone Christian Academy – priceless.

Ms. Lois Bartell, 424 Peaceful Meadows Grove, Spout Spring, VA: I have four (4) grandchildren that attended Appomattox Christian Academy last year. Previously, they attended Appomattox Public Schools and for two (2) years they attended Lynchburg Christian Academy, now Liberty Christian Academy in Lynchburg, Virginia. I have four (4) other grandchildren that attend the New Covenant Schools in Lynchburg. Of all the educational systems I have observed, I found the classical approach to be the most challenging and superior and the most collectable to the different types of learners which I see in my grandchildren. I watched the leadership of Cornerstone Christian Academy having previously been at Appomattox Christian Academy I watched them function this last year. I watched their Christian walk, their teaching abilities and the effect they had on my grandchildren. I would do anything to support them that I can. I am asking the leadership of Appomattox County to support the school requests, so we can provide the best education possible for our kids. As you have heard there are approximately 60 students enrolled which represent about 40 families of Appomattox County. While we as a small community of supporters try to recover and find a permanent school building we have been generously offered the magnificent facility at Vera. Tonight, I ask you, the County Board of Supervisors, to give approval to the Conditional Use Permit to the Vera Church of God for use by the Cornerstone Christian Academy for the 2007-08 school year. It is a clean, spacious facility. It is safe and it will be good for the kids and they will enjoy that. I also ask you to support the Lawson building variance and conditional use permit for their building.

Ms. Shannon Maddox, 3105 Horseshoe Road, Appomattox, VA: I am the mother of a rising 5th grader. The facility and staff of Cornerstone Christian Academy has been a true blessing to my family. Not only have they provided our sons with an outstanding education, they have assisted my husband and I and our church family in laying the foundation of safe, kindness, consideration and true meaning of living a Godly life. They are without a doubt instilling in our children the spiritual guidance they will need as Christian adults. Cornerstone Christian Academy is a blessing to this community. I thank you for your time and your prayerful vote for the Vera Church of God for our temporary school as well as our zoning request to the building located on Route 460.

David Edmondson, 2199 Rocks Church Road, Appomattox, VA: I am a teacher at Cornerstone Christian Academy and my two (2) children as well will be attending there. So I speak to you both as a staff member and a parent. I relocated my family here a year ago to attend this school and be a member of the staff because I believe in the individuals leading the center and teaching there. I agree with what everyone is saying but not only are we talking about the immediate needs for this coming school year, but also your decision will effect years to come. As people who are looking to relocate in Central Virginia, one of the most important things they look for is their choices of schools. Having the option of a Christian school in Appomattox County will bring people here as opposed to relocating in Lynchburg. In supporting our school, I am asking you to support both the petition for the Vera location and the building on 460. I believe that by allowing that to take place it will have a positive economic impact on the County in the future as well.

Miss. Amy Edmondson, 2199 Rocks Church Road, Appomattox, VA: This past year I was under the instruction of some wonderful teachers and they are helping to found the Cornerstone Christian Academy this coming year. They are a wonderful group of teachers. They fill the school with an atmosphere of peace, unity and it was so good to be able to study in this type atmosphere. It would mean a lot to me to be able to continue learning with that group of people.

Ms. Virginia Quackenbush, 4034 River Ridge Road, Appomattox, VA: I want to thank you for listening to all of us. My grand-daughter goes to a Christian school and will be attending the Cornerstone Christian Academy next year. I just can't say enough good things about these people. They go above and beyond just teaching. They care for every single child. It would blow you away if you could be a fly on the wall and watch how they do. It is a good location on highway 460. I know for one there are plenty of people who will be coming into the area and the first thing they want to know, is what about the schools? What is wrong with having another Christian Academy in our county? The communities of Concord, Evergreen and Pamplin should have a choice, should they not? Senator Ruff recently quoted in the newspaper – "This School is another tool in the academic tool box". I hope you will approve the Vera use and the 460 property.

Pastor Jim Hughes, 239 Vera Lane, Appomattox, VA: I am the pastor of the Vera Church of God. If you visit the Vera Church of God you will find it is a lovely facility. It seats 200 people, adequate bathrooms, adequate classrooms and a beautiful playground area, has a safe and convenient ingress and egress and I think the people of the Vera Church of God would stand with me now saying we welcome Cornerstone Christian Academy with open arms. We give them full support and we are also doing some small things around the building which will make things even better for them. We are excited, the community is excited and I think it is a perfect marriage and somewhere in my Christian faith, I have always thought that is what a church is suppose to be. Somebody who will open their arms and open their hearts to somebody like the Cornerstone Christian Academy. They have my support, the church's support and I ask you tonight to please give us the temporary use permit for the Vera Church of God and let these people continue training young minds in a world that just doesn't care. God Bless you.

Ms. Liz Hackett, 152 Vera Lane, Appomattox, VA: I am an adjoining land owner and a member of the Vera Worship Center. I ask you to please approve the petition to allow the Cornerstone Christian Academy use of our facilities for a temporary school for the 2007-08 school year.

Randy Reeves, 457 Red House Road, Appomattox, VA: I think these two petitions are a step towards the overall plan to fill the buildings available in the county. I support these requests and ask that you consider approving both the Vera Church of God, Conditional Use Permit and the Lawson Family, LLC Zoning Variance and Conditional Use Permit to provide the Cornerstone Christian Academy use of both of these facilities.

Freddie Lawson, 663 Fairwood Place, Appomattox, VA: I wish to address the Lawson Family's request for a Zoning Variance and Conditional Use Permit for their property located on Route 460 west. This building has about 25,000 square feet of space and has been vacant for about ten (10) years. They also own most of the adjacent properties. This will be a great location for the Christian school.

Brent Hackett, 446 Wildway Road, Appomattox, VA: I am an adjoining property owner. I have seen my church just about empty for the past eight years. We show up on Sunday and there might be 20 to 25 people present. We pray and we fast that we may serve the community. It has just been a building looking for people. When we first discussed having the school, the first thing that came to my mind was, we have this big building and this would be a good match. I also have a daughter that is enrolled in Cornerstone Christian Academy and if you would have told me nine months ago, that my daughter could read almost a good a me, and the things she has learned just blows my mind. He is here in support of his daughter, his church and his county. Thank you.

Mr. Roark asked if anyone else wished to speak in favor of these petitions.

Mr. Roark asked if anyone wished to speak against these petitions.

Hearing none, Mr. Roark read the next petition.

RZ07003 – Wayne and Sylvia Phelps, P. O. Box 386, Appomattox, Va: Applicants are requesting to rezone property located on the south side of Route 460 (Richmond Highway) from Residential District (R-1) to Commercial District (B-1). The property is located on Route 647 (Spout Spring Road) and is approximately 0.66 acres in size, Tax Map #62(A)58.

Mr. Roark called for comments for or against this petition.

Mr. Steve Conner stated he was not going to speak or vote on this petition because he owns the adjoining property.

RZ07004 – Burruss Conner Properties LLC, P.O. Box 1091, Appomattox, VA: Applicant is requesting to rezone property located on the south side of Route 460 (Richmond Highway) from Residential District R-1 to Commercial District B-1. Property

fronts on Route 460 (Richmond Highway) and Route 647 (Spout Spring Road) and is approximately 4.5 acres in size. Tax Map #'s 62(A) 56 and 62(A) 57.

Mr. Roark called for comments for or against this petition.

Mr. Steve Conner: Mr. Conner made a declaration that he will not vote on this petition as he holds about 50% interest in said property.

This property contains approximately 4.5 acres in both parcels. We purchased the property in foreclosure. The 460 Corridor Plan, the County Comprehensive Plan and the Growth Management Plan calls for the property in this corridor to be Business or Commercial and that is why we feel it should be Commercial District B-1. This property does not have a residence of value and it is not financially feasible to repair the one existing for it to be livable. The highest and best use for this property is to have it rezoned to B-1. We propose to tear down the two story dwelling and probably both homes.

Mr. Roark asked for comments for or against this petition.

At 8:00 p.m. Mr. John Wilson, Mayor called the Appomattox Town Council to order.

Mr. Roark presented the next petition.

RZ07005 – Thomasville Furniture: Applicant is requesting to Rezone property on the west end of Town located on Route 460 west (Richmond Highway) from Industrial – M-1 to Business – B1, tax map #64A1(A)3. This property is located within the Appomattox Town Limits.

Mr. Roark called for comments for or against this petition.

There were no comments regarding this petition.

At 8:03 p.m. the Appomattox Town Council adjourned.

Mr. Roark presented the last petition.

VAR07001 – Wayne E. Paulette, 125 Old Sawmill Lane, Evergreen, VA: Applicant is requesting a variance of the rear yard setback (Section 170-80, Table 2) on property located on Old Sawmill Road near the intersection of Twin Tunnel Road (Route 679), Tax Map #90(A)14 and is zoned R-1 Residential District. Applicant is requesting a variance of 13 feet for the rear yard setback to the western property line for expansion of existing dwelling.

Mr. Roark called for comments for or against this petition.

There were no comments for this petition.

Mr. Roark turned the meeting back to Mr. Carter.

At 8:05 p.m. Mr. Carter closed the Public Hearing.

Samuel E. Carter

Samuel E. Carter, Chairman

On Monday, July 2, 2007 at 6:15 p.m., the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT: Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
Johnnie Roark, County Planner

At 6:15 p.m. Mr. Carter opened the public hearing and read the following statement that had been published in the Times-Virginian newspaper:

PUBLIC HEARING

Notice is hereby given that the Appomattox County Board of Supervisors will conduct a public hearing on Monday, July 2, 2007 at 6:15 p.m. at the Appomattox Community Center located on Community Lane, Appomattox, VA.

The purpose of this hearing will be to consider the following amendment to **Article XVIII – Section 147-64.1 Assessment of Conviction Fees –** to increase conviction fees to fund additional courthouse security personnel.

Changes are shown in *italics.* The amendment is as follows:

Article XVIII – Ordinance on Conviction Fees to Fund Courthouse Security Personnel.

Section 147-61. Assessment of Conviction Fees

A. Fee Amount. A fee in the amount of ~~five~~ *ten* dollars (~~$5.00~~) (*$10.00)* per criminal or traffic case shall be imposed upon any individual convicted of violation of any stature or ordinance in either the General District or Circuit Court of Appomattox.

A complete copy of this ordinance is on file in the County Administrator's office located at 175 Morton Lane, Appomattox, Virginia. Additional information may be obtained by calling (434) 352-2637.

Mr. Carter asked if there was anyone present to wished to address this issue.

No one came forward to speak.

At 6:20 p.m. closed the public hearing.

Samuel E. Carter, Chairman

On Monday, July 2, 2007, the Appomattox County Board of Supervisors held it's regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Conrad to deliver the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **SETTING OF THE AGENDA:**

Ms. Ferguson commented that the Appropriations Resolution, page 1, should read Fiscal Year 2008.

Mr. Carter then stated they would receive **Citizen Public Comments:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance to the citizen.

There were no Public Comments.

Mr. Carter then addressed the next item on the agenda. **ADMINISTRATIVE ITEMS:**

1. **Fiscal Year 2008 Budget Appropriation Resolution:** The FY2008 budget was adopted on April 23, 2007. The following Appropriation Resolution needs to be adopted:

COUNTY OF APPOMATTOX
APPROPRIATIONS RESOLUTION
FISCAL YEAR 2008

BE IT RESOLVED that the Board of Supervisors of Appomattox County, Virginia, hereby appropriates for the Fiscal Year Commencing July 1, 2007 and ending June 30, 2008, from the funds, for the functions, and in the amounts indicated herein:

I. General Fund

1101	Board of Supervisors	$ 192,013.00
1201	County Administrator	404,270.00
1204	County Attorney	40,500.00
1206	Independent Auditor	48,000.00
1209	Commissioner of Revenue	325,492.00
1210	Assessor/Re-assessor	66,474.00
1211	Board of Equalization	8,612.00
1213	Treasurer	254,857.00
1301	Electoral Board/Officials	41,595.00
1302	Registrar	73,697.00
2101	Circuit Court	21,150.00
2102	General District Court	2,785.00
2105	Juvenile/Domestic Relations Court	4,488.00
2106	Clerk of Circuit Court	257,590.00
2107	Sheriff (Civil Server)	68,121.00
2109	Court Services Unit	102,332.00
2130	Magistrate	850.00
2201	Commonwealth Attorney	357,529.00
2202	Virginia Domestic Victim Grant	40,000.00
2220	Witness Advocate Grant	0.00
3102	Sheriff	1,818,045.00
3103	Sheriff (Town Police)	49,883.00
3104	Sheriff/Grant	84,054.00
3106	DARE	5,894.00
3203	Volunteer Fire Departments	180,562.00
3203	Volunteer Rescue Squads	28,600.00
3204	Forestry Service	6,124.00
3301	Sheriff/Jail	323,526.00
3401	Office of Building and Housing	86,242.00
3501	Animal Control	134,719.00
3503	Medical Examiner	500.00
3605	Emergency Services	8,428.00
3606	E-911	612,767.00
4101	Road Viewers	300.00
4203	Refuse Collection	211,773.00
4204	Refuse Disposal	836,466.00
4206	Litter Grant	7,500.00
4207	Recycling	32,624.00
4208	Tire Security	22,451.00
4302	General Properties	425,472.00
5101	Local Health Department	125,943.00
5105	Central Va Commission on Aging	5,600.00
5202	Central Va Community Services	36,958.00
5301	Social Services	5,407.00
5302	State Local Hospitalization	5,059.00
5309	Courthouse	0.00
5310	Comprehensive Services	601,277.00
6401	Central Virginia Community College	376.00
7101	Sports Complex Fund	100,000.00
7102	Parks & Recreation Department	194,200.00
7104	Tourism	40,000.00
7109	Contributions	14,232.00

7301	Public Library	166,754.00
8101	Planning (CVPDC)	9,035.00
8103	Debt Service	2,474,910.00
8104	Zoning	74,299.00
8105	Economic Development	290,790.00
8106	Chamber of Commerce	0.00
8111	Board of Zoning Appeals	900.00
8112	Planning Commission	10,298.00
8203	Robert E. Lee Soil and Water Conservation	10,000.00
8303	Extension Services	41,953.00
II.	Capital Improvement Fund (Uncommitted)	0.00
III.	Virginia Public Assistance Fund	1,285,821.00
IV.	School Operating Fund	19,863,363.00
	School Cafeteria Fund	936,153.00
	School CIP fund	0.00
	School Special Project Funds	0.00

BE IT FURTHER RESOLVED, that the County Treasurer be, and is hereby, authorized to transfer from the General Revenue Funds pursuant to this Resolution, as monies become available, and from time to time to meet the expenditures for amounts appropriated sums equal to, but not in excess of, the appropriations indicated for transfer, as Transfer to Schools (Operation) and Transfer to Department of Social Services for the period covered by this Appropriation Resolution. Other inter-fund transfers shall be in accordance with the direction of the Board of Supervisors.

Adopted: 2-Jul-07

Mr. Conrad made a motion, seconded by Mr. Craft, to adopt the FY2008 Budget Appropriation Resolution. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Planning Commission Recommendations from the June 18, 2007 Public Hearing.** The Planning Commission has submitted its recommendations for the following petitions:

CUP07002 - Carol Donato/Elizabeth Jenkins: Conditional Use Permit to install a sign. Recommendation is to approve.

Mr. Moore made a motion, seconded by Mr. Armbrust, to approve **CUP07002 for Carol Donato/Elizabeth Jenkins'** request for a conditional use permit for property located on the north side of Richmond Highway (Route 460 between Spout Spring Road (Route 647) and Reedy Spring Road (Route 648) to locate an off-premises advertising sign on the property. The property is zoned Commercial District, B-1, is identified as Tax Map #73(A)23A and is approximately 0.47 acres in size. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye and Mr. Carter, aye. (5 aye votes)

CUP07003 – Vera Church of God/Kevin O'Brien: Conditional Use Permit to operate a school in a V-1 zoning district. Recommendation is to approve.

Mr. Conrad stated he had visited this location and found it to be a very suitable location for a school.

Mr. Craft made a motion, seconded by Shawn Armbrust, to approve **CUP07003 for Vera Church of God**, on behalf of Cornerstone Christian Academy, a conditional use permit for property located on the south side of Vera Lane (Route 655) between Wildway Road (Route 616 and Old Courthouse Road (Route 24) to locate a private

school on property. Property is currently zoned Village District V-1, identified as Tax Map #41(A)79 and is approximately 0.81 acres in size. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

RZ-07002/CUP07004 – Lawson Family LLC/Cornerstone Christian Academy: Rezone property from M-1 to B-1 and a Conditional Use Permit for a school in a business zoning district. Recommendation is to approve both petitions.

Mr. Conrad stated he had done a lot of thinking about this petition and has received a lot of phone calls and the majority of these calls were very cordial in establishing this school for their kids. If you look at this from the standpoint that this is an M-1 district and they are looking to convert it to B-1 district. The long term plan is that we will see the Route 460 area as being B-1. He feels like this school will give the people of Appomattox a good alternative. People who will be moving to Appomattox in the future as well as those that are already here, will have a healthy choice of schools. Not everyone wants to send their children to public school.

Mr. Armbrust stated his only concern is safety.

Mr. Craft feels this petition should be approved. There may be some problems with traffic in this area but they can be worked out.

Mr. Moore stated that in discussing spot zoning, if you spot zone up, it is Okay. If this were a case of zoning down, he would have a problem with it.

Mr. Carter has some concerns along the lines of safety. This has turned into more of an emotional aspect than anything he has seen in a while. However, in looking at it in depth, he hopes that nothing builds adjacent to the property for the children's sake. He hopes everything will work out as this school will be an asset to the community.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve **RZ07002 and CUP07004 for Lawson Family LLC/Cornerstone Christian Academy's** request to rezone property and obtain a conditional use permit on property located on the west side of Police Tower Road (Route 613) between Richmond Highway (Route 460 and 3Rd Division Road (Route 341) for the purpose of locating a private school on property. Request is to rezone a three (3) acre portion of the property from Industrial District, M-1 to Commercial District, B-1, identified as Tax Map #s 63(A)9 and 63(A)11. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

RZ-07003 – Phelps, Wayne & Sylvia: Rezone property from R-1 to B-1. Recommendation is to table for further information.

There was no action taken on this petition.

RZ-07004 – Burruss Conner Properties LLC: Rezone property from R-1 to B-1. Recommendation is to table for further information.

There was no action taken on this petition.

Amendment to Zoning Ordinance/Telecommunications Facility. Recommendation is to approve this amendment.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the Amendment to the Zoning Ordinance/Telecommunications Facility. A public hearing was held on June 18th, 2007 and there were no comments for or against this amendment. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Memorandum of Understanding with the Virginia Department of Emergency Management State Administrative Agency and Appomattox County.** A letter has been received from the Department of Emergency Management explaining that certain criteria must be met prior to localities receiving 2006 Homeland Security Grant Program funds. One of the criteria is that we must enter into a MOU with the State.

MEMORANDUM OF UNDERSTANDING
BETWEEN THE VIRIGNIA DEPARTMENT OF EMERGENCY MANAGEMENT
State Administrative Agency
AND
APPOMATTOX COUNTY

Background
The Governor has appointed the Virginia Department of Emergency Management (VDEM) as the State Administrative Agency (SAA) for coordination of the Homeland Security Grant Programs.

Authority
This agreement is authorized under the provision of §§ 44-146.17 and 44-146.18 of the Code of Virginia, 1950, as amended.

Purpose
This Memorandum of Understanding (MOU) is entered into between the SAA and Appomattox County (jurisdiction) to address the training exercises, interoperability, and planning initiatives identified in the 2006 Homeland Security Grant Program (2006-GE-T6-0018) awarded to the Commonwealth of Virginia on July 1,2006. While the focus of this effort will be response to terrorism or threat of terrorism, an all-hazard perspective will be maintained throughout.

Objective
The Commonwealth's homeland security objective is to protect citizens against the threat of terrorism by detecting, preparing for, preventing, responding to and recovering from terrorist threats or attacks. In fulfilling the objective of this MOU, the parties will meet the intent of the Commonwealth's Homeland Security strategy, and of the applicable local plans, as well as the homeland security grant requirements. The ultimate objective of this MOU is to satisfy the Department of Homeland Security requirement for all states to be completely National Incident Management System (NIMS) compliant to receive Homeland Security grant funds.

The SAA will accomplish the objectives by offering to local units of government in the Commonwealth projects including but not limited to a statewide exercise contract, the statewide NIMS and terrorism training programs, interoperability initiatives, and statewide planning efforts. The projects will be undertaken at the state level and delivered to local units of governments within the Commonwealth.

Points of Contact
Virginia Department of Emergency Management
Cheryl Adkins
10501 Trade Court
Richmond, VA 23236
(804) 897-6500 ext. 6597

Local Government Contact

Appomattox County Administrator
Aileen T. Ferguson
P.O. Box 863
Appomattox, Va 24522
(434) 352-2637

Other Provisions
Nothing in this Agreement is intended to conflict with current laws or regulations of Virginia or the jurisdiction. If a term of this Agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

Modification
This agreement may be modified upon the mutual written consent of the parties.

Termination
The terms of this agreement, as modified with the consent of both parties, will remain in effect until June 30, 2008, in accordance with Award Document, dated July 1, 2006. Either party upon 30 days written notice to the other party may terminate this Agreement.

Source Funding and Administration
The source of funding to accomplish the objectives is the 2006 Homeland Security Grant Program, CFDA # 97.067 (local share funding from State Homeland Security Program and Law Enforcement Terrorism Prevention Program). These monies will be sufficient to pay for cost of the exercise contract, training programs, and planning activities.

Effect of MOU
This document is not a contract and is not legally enforceable by either party. It does not create enforceable rights in any third party. As such it does not imply or assume any waiver of sovereign immunity by the Commonwealth. It may be terminated without any liability or other consequences by either party at any time upon written notice to the other, in accordance with the provisions of this MOU.

Signatures:

Local Authorizing Official

Aileen T. Ferguson, County Administrator

Virginia Department of Energy Management:

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Mr. Armbrust made a motion, seconded by Mr. Conrad, to adopt the above Memorandum of Understanding with the Virginia Department of Emergency Management. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Central Virginia Community Services FY2008 Performance Contract:** We have received the Central Virginia Community Services FY2008 Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services. They are asking for your approval of this contract for FY2008.

Mr. Craft made a motion, seconded by Mr. Moore, to approve the Central Virginia Community Services FY2008 Performance contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **Health Insurance for Local Government Employees:** Periodically we (the County and the School System) go out for bid on our health insurance in order to be sure we are providing the best benefits for the lowest premium. This year we interviewed two companies that were very competitive.

Recommendation is to stay with Anthem for our employee health care coverage with the county contribution towards the employee's premium being $286.06. The premium realizes a reduction in premium from last year.

Ms. Ferguson stated that this bid is sent out periodically to keep Anthem competitive with other agencies. One agency was a little bit lower than Anthem and offered a good wellness package. Once we set down and discussed everything, they wouldn't give any guarantees on the amount of a premium increase for next year. We decided to stay with Anthem. The School Board has already approved this health coverage. Our experience rate has been great for the last few years. We will not have to sacrifice any benefits, we can retain the same program we have had and they are going to give us some wellness benefits.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to continue the Employees Health Care Coverage with Anthem with the county's contribution to the premium being $286.06. VOTE: Mr. Armburst, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Nominee for appointment to the Roanoke River Basin Committee:** Gary Christie, Executive Director for the Local Government Council is asking if you would like to offer a nominee for appointment to the Roanoke River Basin Committee. The nominee would have to live in the Roanoke River Basin so he/she would have to come from Supervisor Conrad's district. The committee meets quarterly rotating their meetings throughout the river basin.

Mr. Conrad asked how soon did we have to make a nomination.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to hold this over to the next meeting on July 16, 2007. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes.

7. **Officials to discuss youth obesity in communities:** NACo is requesting that Appomattox County send two supervisors and key staff to Washington for a discussion on youth obesity in communities and how we might improve the health of our youth. The meeting is scheduled for August 1st. My understanding is that NACo will pay expenses for attending this meeting. Recommendation is to send someone to this meeting.

Ms. Ferguson stated that she had received a notice from NACo that the meeting will be held in Lynchburg on August 1st from 8:30 a.m. to around 1:00 p.m. Ms. Ferguson does plan to attend. Mr. Conrad and Mr. Craft both would also like to attend. Ms. Ferguson will make arrangements.

8. **Bids for Radio Shelter:** Bobby Wingfield has received four (4) bids to replace the existing wooden structure that houses the radio equipment on the mountain with a concrete structure.

Recommendation is to accept the 8 x 12 shelter (ACPS -1A quote) at a price of $22,005.00 from VFP of Roanoke and the $7,250.00 bid from Bass & Milton Construction Company to replace the existing generator and switch gear.

After a brief explanation by Mr. Wingfield, Mr. Craft made a motion, seconded by Mr. Armbrust to accept the low bid from VFP of $22,005.00 to construct a 8 x 12 concrete structure to house the radio equipment on Tower Hill and also to accept the bid from Bass and Milton Construction Company of $7,250.00 to replace the existing generator and switch gear. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Wingfield gave an update on the E-911 system. They have been in operation for five (5) months and as of today they have received 23,591 calls. He never imagined we would have anywhere near that many calls. This includes sheriff's, rescue squad, fire department and animal warden calls.

Mr. Wingfield explained that we now have cell phones on line and when the accident happened with the four individuals in the jeep recently, at approximately 2:30 a.m. on Trent's Mill Road (Washout Gap) the call came in from a cell phone and E911 was able to lock in to his location. The response time was approximately 12 minutes. Without our present equipment, it would have taken approximately one hour to have located this accident. He also commented on the excellent job his dispatchers are doing.

9. **Land Use Assessment Legislation:** Ms. Ferguson stated that during this difficult process of considering whether land use assessment is appropriate for Appomattox County several issues were mentioned that the present legislation would not allow us to do. One of the issues that she remembers was a concern that the ordinance could only be implemented the year prior to a reassessment and another issue that was of concern to some members of the Board was that the Commissioner of Revenue would set the assessed value of the land that was to be included in land use assessment taxation.

   Please consider whether you would like to address these and any other matters that you have concerns over in a letter to our legislators.

Mr. Carter expressed his thoughts on this subject:
"The Appomattox County Board of Supervisors acknowledges the needs of our citizens to orchestrate an Ordinance on "Land Use". The unknowns have been addressed previously by the Board and need to be resolved if "Land Use" can be passed and not cast a heavy burden on the taxpayers in the future.

In order for the Board to move forward, we need help from our state legislators. This help should consist of the following: 1) tax rate on land per acre currently structured by the Commissioner of Revenue shall be determined by the Board of Supervisors; 2) time frame of enactment for the Ordinance to go into effect is only during reassessment years and should be changed to the discretion of each locality.

If legislation could be changed on this request, localities could then conscientiously determine what impact it would have on them.

We have heard our citizens concerns and ask that you review the necessary code sections and amend the applicable sections to allow us to make the decisions for our counties. This would allow the necessary information to be available up-front."

Mr. Overstreet stated that he felt Mr. Armbrust and Mr. Moore needed to acknowledge the following declaration from the Conflict of Interest of the Code of Virginia, because they both own land which may be eligible for Land Use Taxation. Section 2.2-3112.A.2 and 2.2-3115 G – Code of Virginia: "I hereby declare that I have a personal interest in the transaction of adopting Land Use Taxation in Appomattox County by virtue of my ownership of real estate in the County which may be eligible for Land Use. Therefore, I am a member of a group that may be affected by this transaction."

"I declare that notwithstanding the above, I am able to participate in this transaction fairly, objectively and in the public interest."
Mr. Moore and Mr. Armbrust acknowledged this declaration.

Mr. Craft stated he would like to see the farmers get a break and he thinks they need one. There are still too many unknowns. He can see where five (5) acres would generate $1,000.00. But what if you have 1,000 acres, you still only have to generate $1,000.00 income. This is not fair. The laws need to be changed since they have been changed very little since 1972.

Mr. Armbrust agrees that we need to write to our legislators because there are too many unknowns. We, in running the county, try to make it fair for all taxpayers. We need some control to figure out what the unknowns are and make things fair for everyone.

Mr. Conrad stated that this has certainly been a controversial issue. We have obviously presented some questions based on what information we have. What we need to do is find out if or what can be done about the particular issues up for reviewing by the legislature and ask the question of why or why not. We need to see if this is something that can be updated to reflect more today than it did when this was first enacted. For the time being, this is a closed issue.

Mr. Carter stated we can orchestrate a letter of our concerns or wait until the legislative agendas are sent from each locality to the delegation. What is the Board's thoughts on this.

It was the Boards decision to wait on this issue.

Mr. Carter next presented the **CONSENT AGENDA:**

10. **Approval of Minutes:** Please approve minutes of Joint Public Hearing on June 18, 2007 re: Amendment to the Telecommunications Facilities Section of the Zoning Ordinance; Regular Meeting on June 18, 2007; Joint Public Hearing on

June 18, 2007 with Planning Commission, Town Council and Planning Commission.

11. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

12. **Commonwealth's Attorney:** Please supplement by consent and appropriate $2,580.00 to the following line items in the Commonwealth's Attorney budget due to Leslie Fleet achieving Career Prosecutor status:

2201-1001	add	$2,075.00
2201-2001	add	187.00
2201-2002	add	318.00

13. **Budget Amendments for FY2008 Budget:** Please appropriate by consent and supplement to the FY2008 budget the following balances remaining June 30, 2007 in various departments:

Assessor & Reassessment:	
1210-3002 Professional Services	$150,000.00
Virginia Domestic Victim Grant:	
2202-1003 Part Time Salaries/Wages	$ 24,106.68
2202-2001 FICA	2,079.64
Law Enforcement Block Grant:	
3100-1002 Overtime	$ 54.20
3100-2001 FICA	9.71
Sheriff:	
3102-5804 Triad (Donations Only)	$ 2,581.97
Division of Motor Vehicle Grant:	
3107-1004 Overtime Traffic Control	$ 7,708.42
3107-2001 FICA	703.92
Pamplin EMS Vehicle Donation:	
3203-7001 Vehicle Equipment	$ 25,000.00
Animal Control:	
3501-7005 Equipment (Donation)	$ 735.00
Library:	
7301-5415 Summer Reading Program	$ 1,611.28

Please appropriate by consent and supplement the following to the FY2008 budget:

Witness Advocate Grant:	
2220-1001 Salary/Wages	$ 17,395.00

2220-2001	FICA	1,331.00
2220-2009	Unemployment Insurance	51.00
2220-5201	Postage	78.00
2220-5203	Telecommunications	1,128.00
2220-5401	Office Supplies	300.00
2220-5411	Books/Publications	50.00
2220-5501	Mileage/Meals	962.00
2220-5504	Training/Education	500.00
2220-5801	Dues/Membership	75.00
2220-7001	Equipment	780.00

Sheriff:

3102-3010	Drug Investigation Fund	$ 6,107.60

E911:

3606-1001	Salaries	$ 6,262.00
3606-2001	FICA	480.00

Economic Development:

8105-6017	CVCC Satellite Phase Two	$ 272,140.00
8105-6018	Tobacco Grant CVCC	250,000.00

Capitol Projects:

9104–7001	Animal Pound	$ 61,680.53
9104-7002	E911 Center	7,723.16
9104-7003	Landfill Cell	2,126,935.73
9104-7004	County Adm. Renovation	560,711.09
9104-7005	Landfill Gas Extraction	375,595.63

14. **Social Services:** Please supplement by consent and appropriate $40,000.00 to Social Services Budget for FY07 expenditures. County will be reimbursed in July.

LINE ITEM TRANSFERS:

15. **Sheriff's Office:** Please transfer by consent $1,814.00 to 3102-5408 in the Sheriff's budget from 3301-3014 in the Jail budget.

Mr. Conrad asked for clarification on Item 13.

Ms. Ferguson stated that most of these are balances in Grant Funds left over from FY2007. These funds have to be rolled over into the new budget. There are also some items we did not put in the new budget that were anticipated to be spent prior to June 30th. One of those items is the Assessor, which she had anticipated he would bill several times during the past fiscal year, which he did not. This $150,000.00 represents funds remaining in his FY2007 budget that needs to be put into the FY2008 budget. Some of these are donated items and have to be carried forward. The Pamplin EMS Vehicle is the donation you gave them on their new vehicle, which was held up. At the time you adopted the FY2008 budget we didn't know the status of Victim/Witness Program. Since then, this program is available. Once again there will be no local money required

for this program. Again, most of these are balances that need to be carried over to the new year. There is no new money involved here.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the **CONSENT AGENDA** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **INFORMATIONAL ITEMS:**

16. **Proposed Land Application of Biosolids:** Permitted sites in the County that may have biosolids applied to them between 10/10/07 and 10/10/08.

Mr. Craft asked if we could get the exact location of these sites.

Ms. Ferguson stated that there are books on file in the County Office if anyone wanted to know the exact site locations. Also, we may in the near future be discussing some possible changes to the Biosolid Ordinance.

17. **Workforce Development Reorganization Proposal:** Information concerning the proposed reorganization of the workforce development areas.

18. **AWAG Information:** AWAG flyer informing citizens of their spay/neuter efforts.

Mr. Carter then called for **Supervisor Concerns:**

Mr. Craft: He has a question for the County Administrator regarding the renovations to the Administration Building. She commented that they are just tearing out and making a lot of noise.

UPCOMING MEETINGS

Regular Scheduled Meeting
Monday, July 16, 2007
6:30 p.m.
Community Center

Regular Schedule Meeting
Monday August 6, 2007
6:30 p.m.
Community Center.

At 7:20 p.m. Mr. Moore made a motion, seconded by Mr. Craft to adjourn. VOTE: Mr. Armbrust, aye, Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter

Samuel E. Carter, Chairman

On Monday, July 16, 2007 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox Community Center, located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
John K. Spencer, Jr., Assistant County Administrator
Johnnie Roark, County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to give the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter called for the **Setting of the Agenda:**

Ms. Ferguson asked that the following be added to the Agenda:

7A. **Fund Balances:** Ms. Belter is requesting that you carry the designated fund balances over from fiscal year 2007 to fiscal year 2008.

7B. **"Children At Play" signs:** We have received two (2) requests for "Children At Play" signs to be installed for safety purposes at two different locations in the County. VDOT has done the preliminary evaluation and find that all is in order. The individuals making the request will be purchasing the signs.

7C. **Henry Wright Land Purchase**: Mr. Wright is interested in purchasing a parcel from the old elementary school property.

Mr. Carter then called for the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

No one wished to speak at this time.

Mr. Carter then called for the **ADMINISTRATIVE ITEMS:** (Items 1-7)

1. **Assessment of Conviction Fees Ordinance Change:** On July 2, 2007 a public hearing was held to receive public comments on amending the Assessment of Conviction Fees Courthouse Security Ordinance to a fee amount of $10.00 per criminal or traffic case. No comments were received at this public hearing.

   Recommendation is adopting the amended ordinance assessing a fee of $10.00 per criminal or traffic case.

Mr. Craft made a motion seconded by Mr. Conrad to adopt the following changes to the Assessment of Conviction Fees Courthouse Security Ordinance, effective 9/1/07.

Article XVIII – Section 147-64.1 Assessment of Conviction Fees – to increase conviction fees to fund additional courthouse security personnel.

Changes are shown in *italics.* The amendment is as follows:

Article XVIII – Ordinance on Conviction Fees to Fund Courthouse Security Personnel.

Section 147-61. Assessment of Conviction Fees

A. Fee Amount. A fee in the amount of ~~five~~ *ten* dollars ~~($5.00)~~ *($10.00)* per criminal or traffic case shall be imposed upon any individual convicted of violation of any stature or ordinance in either the General District or Circuit Court of Appomattox.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Also, the County Administrator was unaware until last week that Juvenile and Domestic Relations Court cases were not included in the original ordinance. We need to schedule a public hearing for August 6, 2007 at 6:15 p.m. to consider adding Juvenile and Domestic Relations Court to this ordinance.

Mr. Conrad made a motion, seconded by Mr. Craft to hold a public hearing on August 6, 2007 at 6:15 p.m. to consider adding the Juvenile and Domestic Relations Court to the Assessment of Conviction Fees Courthouse Security Ordinance. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Central Virginia Alcohol Safety Action Program:** Mr. Craft's term on the Central Virginia Alcohol Safety Action Program Policy Board will expire August 31, 2007. Mr. Craft is eligible for reappointment and is willing to serve another term.

   Recommendation is to reappoint Mr. Craft to serve on the Policy Board for Central Virginia Alcohol Safety Action Program for a term of three (3) years – September 1, 2007 to August 31, 2010.

Mr. Moore made a motion, seconded by Mr. Armbrust, to reappoint Mr. Craft to serve on the Policy Board of the Central Virginia Alcohol Safety Action Program for a term of three (3) years from September 1, 2007 to August 31, 2010. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, abstaining; Mr. Moore, aye; and Mr. Carter, aye. (4 aye – 1 abstained)

3. **Stand Up America:** The members of Evergreen Baptist Church are inviting you to be a part of their celebration of Heritage and Patriotism on Sunday, July 22, 2007 at 3:00 p.m. The program will feature special music and there will be a presentation by the Langley Air Force Base Honor Guard.

No action necessary on this item. Mr. Craft stated he would be attending this service.

4. **Piedmont Court Services Unit Resolution:** The Board has received for consideration a resolution for the County to join with other localities in the area and have Piedmont Court Services Unit in Farmville provide pretrial services for the Courts. Presently, VASAP out of Farmville, run by Robyn Allen, is providing this service.

Mr. Craft made a motion, seconded by Mr. Conrad, to table discussion on this matter until the August 6, 2007 meeting. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **Permit for Musical or Entertainment Festival:** The Red House Volunteer Fire Department is requesting a permit to hold a music festival on September 29, 2007 from 12:00 noon to 1:00 a.m. This event will be held on property owned by Tom Pierro located at the intersection of Red House Road and Wheeler Spring Road. The fire department is requesting the bond requirement be waived.

After a brief discussion, Mr. Moore made a motion, seconded by Mr. Conrad, to approve the Permit for Musical or Entertainment Festival for the Red House Volunteer Fire Department to hold a music festival on September 29, 2007 from 12:00 noon to 1:00 a.m. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Nominee for appointment to the Roanoke River Basin Committee:** This matter was held over from the previous meeting in order to allow Mr. Conrad an opportunity to see if he could find a suitable representative to nominate for this appointment.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to table this item until the August 6, 2007 meeting. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7. **Personnel Policy Change:** It has come to the attention of the County Administrator that the rating levels that are defined in our personnel policy do not match the rating levels that are listed on our employee evaluation forms.

   Recommendation is for the Board to approve the new rating levels that are listed on the employee evaluation form.

   Section 10.2 in the Personnel Policy "Review with Employee" performance levels to be changed to coincide with the Employee Evaluation form.

Old Rating Level	***New Rating Level***
Outstanding	Superior Performance
Above Satisfactory	Satisfactory Performance
Satisfactory	Needs some improvement
Conditional	Needs Substantial Improvement
Unsatisfactory	Unacceptable Performance

Mr. Conrad made a motion, seconded by Mr. Craft to adopt the changes to the Personnel Policy "Review with Employee" performance levels as stated above. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7A. **Fund Balances:** Ms. Belter is requesting that you carry the designated fund balances over from fiscal year 2007 to fiscal year 2008.

Comprehensive Services	$ 4,304.31
Law Library	$ 24,043.52
Ballpark (Town Ballpark)	$ 33.69
Capitol Improvement	$ 3,249,755.14
Courthouse Maintenance	$ 7,086.58
Cost of Keep Jail	$ 18,154.03
Wireless Grant	$ 7,327.49
Homeland Security	$ 58,238.00
Courthouse Security	$ 51,522.32

Mr. Craft made a motion, seconded by Mr. Conrad to approve Ms. Belter's request to carry over the designated fund balances from fiscal year 2007 to fiscal year 2008, ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7B. **"Children At Play" signs:** We have received two (2) requests for "Children At Play" signs to be installed for safety purposes at two different locations in the County. VDOT has done the preliminary evaluation and find that all is in order. The individuals making the request will be purchasing the signs.

WHEREAS, the Appomattox County Board of Supervisors acknowledges the need to provide a safe environment for our children, and

WHEREAS, Mr. Eddie Gunter has approached the Board of Supervisors with concern for the need for WATCH FOR CHILDREN signs on Route 610; and

WHEREAS, Mr. Gunter has agreed to bear the cost for the signs and installation,

NOW THEREFORE BE IT RESOLVED, that the Appomattox County Board of Supervisors is requesting Virginia Department of Transportation to pursue the installation of WATCH FOR CHILDREN signs on secondary Route 610.
Adopted July 16, 2007 by the Appomattox County Board of Supervisors.

AND

WHEREAS, the Appomattox County Board of Supervisors acknowledges the need to provide a safe environment for our children, and

WHEREAS, Mrs. Megan Coviello has approached the Board of Supervisors with concern for the need for WATCH FOR CHILDREN signs on Route 613; and

WHEREAS, Ms. Coviello has agreed to bear the cost for the signs and installation,

NOW THEREFORE BE IT RESOLVED, that the Appomattox County Board of Supervisors is requesting Virginia Department of Transportation to pursue the installation of WATCH FOR CHILDREN signs on secondary Route 613.
Adopted July 16, 2007 by the Appomattox County Board of Supervisors.

After some discussion, Mr. Armbrust made a motion, seconded by Mr. Conrad, to adopt the above resolutions for the placement of "Children At Play" signs on Route 613 and Route 610 as requested by citizens and approved by VDOT. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7C. **Henry Wright Land Purchase**: Mr. Wright is interested in purchasing a parcel from the old elementary school property.

After some discussion regarding the location of this parcel (adjacent to Advance Auto) and the opening of the CVCC Campus we need to keep things as they are at the present time. It was the general consensus of the Board to not enter into any type of agreement with Mr. Wright at this time.
Mr. Carter next presented the **CONSENT AGENDA:** (Items 8-12)

8. **Approval of Minutes:** Please approve minutes of Public Hearing held on July 2, 2007 and Regular Meeting held on July 2, 2007.

9. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

10. **Sheriff's Department:** Please supplement by consent and appropriate $514.07 to 3102-5408 – Vehicle Power Equipment supplies in the Sheriff's budget for reimbursement from the State for travel expenses and as restitution by J. B. Knight.

Also, please supplement by consent and appropriate $1,485.53 to 3102-1002 – Overtime for reimbursement received for deputies working various locations and $442.80 to 3102-2001 – FICA.

11. **Library:** Please supplement by consent and appropriate $726.15 to the following line items in the Library budget:

7301-5401	Office Supplies	$450.15
7301-5411	Books	74.50
7301-5415	Summer Reading	50.00
7301-5414	Pamplin Library	151.50

FUND TRANSFERS:

12. **Homeland Security Funds:** Please transfer by consent and supplement $28,000.00 from the Homeland Security funds to 3202-7003 in the Fire Department's budget to pay for radio equipment.

Mr. Moore made a motion, seconded by Mr. Conrad to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next reviewed the **INFORMATIONAL ITEMS:**

13. **Appomattox County Public Schools:** Monthly financial report for June 2007 for the Appomattox County Public School System.

14. **Town of Appomattox:** Town Council Agenda for July 9, 2007 meeting and also the 2006 Annual Drinking Water Quality Report for the Town of Appomattox.

15. **Department Reports:** Monthly reports for the County departments:
    - Animal Control
    - Assistant County Administrator
    - Building Inspection
    - Parks and Recreation
    - Victim/Witness Program

16. **Landfill Compliance Inspections:** Latest compliance inspections for the landfill and baler building.

17. **Synagro Land Application of Biosolids:** Information from Synagro on where they may be land applying biosolids from October 10, 2007 to October 10, 2008.

18. **Planning Commission Minutes of the June 18, 2007 Meeting:** Johnnie Roark is enclosing the minutes of the Planning Commission meeting held on June 18, 2007 for your review.

19. **Robert E. Lee Soil and Water Conservation District:** The Robert E. Lee Soil and Water Conservation District has provided you the minutes of their Board of Directors meeting held on May 24, 2007. Also provided for your information is their Annual Plan of work for Fiscal Year 2006-2007.

Mr. Armbrust had some questions regarding item 17 – Land Applications of Biosolids from Synagro. In looking over some of these names, he thought that some of the people were not able to apply due to certain violations, such as releasing cattle on the field too soon, etc.

Ms. Ferguson remarked that complaints were made to the State, and there were corrective actions in that the person was made to remove the cattle, but that was as far as it went. There were no penalties, etc., that she was aware of.

This notice does not mean that biosolids will be applied to these properties. They are just eligible for this application.

Mr. Conrad questioned the status of the Winston Property. Mr. Winston is deceased and if whoever is operating this farm is operating under a different name other than that

which was originally applied for, that would be something that should be taken into consideration.

Mr. Armbrust stated he was under the impression that this property had been divided among Mr. Winston's heirs.

Ms. Ferguson provided each Board Member with a handout from Ms. Jillian Mitchel, who will be attending the August 6, 2007 meeting.

Mr. Carter asked if there were any **SUPERVISOR CONCERNS:**
There were no concerns to be heard at this time.

UPCOMING MEETINGS

Public Hearing
Monday, August 6, 2007
6:15 P.M.
Community Center

****

Regular Scheduled Meeting
Monday, August 6, 2007
6:30 P.M.
Community Center
****

Regular Scheduled Meeting
Monday, August 20, 2007
6:30 P.M.
Community Center
****

At 6:55 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter, Chairman

On Monday, August 6, 2007 the Appomattox County Board of Supervisors conducted a Public Hearing at 6:15 p.m. at the Appomattox Community Center located on Community Lane, Appomattox.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT: Shawn A. Armbrust – Wreck Island District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner

At 6:15 p.m. Mr. Carter opened the meeting and stated the purpose of the Public Hearing was to consider the following amendment to Article **XVII-Section 146-64.A Assessment of Conviction Fees –** to add Juvenile and Domestic Relations Court.

Changes are shown in *italics.* The amendment is as follows:

Article XVII-Ordinance on Conviction Fees to Fund Courthouse Security Personnel.

Section – 147-64 Assessment of Conviction Fees

A. Fee Amount: A fee in the amount of ten dollars ($10.00) per criminal or traffic case shall be imposed upon any individual convicted of violation of any stature or ordinance in either the General District, Circuit Court of *Juvenile and Domestic Relations Court* of Appomattox County.

Ms. Ferguson explained that when the Board passed the change to this ordinance on July 16, 2007, it came to their attention that the Juvenile and Domestic Relations Court was not included. Therefore, it is necessary to amend this ordinance to include the Juvenile and Domestic Relations Court.

Mr. Carter then called for comments on this amendment.

Hearing none, Mr. Carter closed the Public Hearing at 6:20 p.m.

Samuel E. Carter

Samuel E. Carter, Chairman

On Monday, August 6, 2007 the Appomattox County Board of Supervisors held it's regular scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, Va.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT: Shawn A. Armbrust – Wreck Island District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet - County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to deliver the invocation, followed by the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **SETTING OF THE AGENDA:**
There were no changes to be made to the Agenda.

Mr. Carter stated the next item on the Agenda was the **CITIZEN PUBLIC COMMENT PERIOD:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

No one came forward to speak at this time.

Mr. Carter next called attention to the **ADMINISTRATIVE ITEMS:**

1. **Planning Commission Recommendations:** On July 16, 2007 a public hearing was held to receive comments on various zoning petitions. The Planning Commission recommendations from that hearing are as follows:

   RZ07003 – Phelps, Wayne and Sylvia: Rezone property located on the south side of Richmond Highway and Spout Spring Road from R-1 to B-1.
   Recommendation: Denial of this petition.

Mr. Conrad stated that in reviewing this petition and the accompanying documents, the property all along Route 460 from the stop light at Concord down to Appomattox, you have various zones. The Comprehensive Plan for the County has designated that we would like to see along Route 460, as time goes by to attract business, is to have this designated as B-1 as much as possible. The area in question, is currently R-1, however, it is not being used by anybody at this point as residential and it does have potential to become a business designation if an individual was to re-zone this and decide to place a business there. This, as far as he can see, borders on part of Route 647 and would border also Route 460. If he is not mistaken, VDOT has indicated that a turnoff could be placed onto this property from Route 460 and he does not see any particular problem

with traffic in the Village of Spout Spring itself. In looking at the recommendation, the Planning Commission was concerned that the appropriateness of the proposed zoning at this time and the appropriateness of committed uses allowed in the B-1 zoning district and how they would fit in. He does not like talking about what the Planning Commission has done and saying I do not agree with them, but I will say I do not agree in this instance. He would like to see this property zoned B-1 especially with the Comprehensive Plans for the future with the proposed waterline. One purpose of the waterline is to help businesses establish in the County.

Mr. Craft and Mr. Carter agree with Mr. Conrad.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve petition #**RZ07003 of Wayne and Sylvia Phelps** to rezone property located on the south side of Richmond Highway (Route 460) and Spout Spring (Route 647) between the east end of Spout Spring Road (Route 647) and the west end of Spout Spring Road (Route 647). The purpose of the request is to rezone the property from Residential District, R-1 to Commercial District B-1. Property is tax map #62(A)58 and is approximately 0.66 acres in size. ROLL CALL VOTE: Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

RZ07004 – Burruss Conner Properties, LLC: Rezone two parcels located on the south side of Richmond Highway and Spout Spring Road from R-1 to B-1.
Recommendation: Denial of this petition.

Mr. Conrad stated this was related to the previous petition. The one thing mentioned in this petition and not in the previous one, is that additional concerns were expressed about the amount of traffic potentially to be placed on Sprout Spring Road, (rural secondary route), buffering of neighboring residential uses and general public health and safety.

Based on the information we have received lately, concerning the building of businesses along Route 460 we do not see where there will be a projected traffic problem, now or in the future. Based on this, the existing road is able to handle the traffic, and we are only voting at this time on B-1 zoning which will not change that much. We are not likely to see a great deal of problems here. Based on this, he cannot go along with the Planning Commission's recommendation to deny this petition.

Mr. Craft made a motion, seconded by Mr. Craft, to approve petition #**RZ07004 of Burruss Conner Properties, LLC** to rezone two (2) parcels located on the south side of Richmond Highway (Route 460) and Spout Spring Road (Route 647) between the east end of Spout Spring Road (Route 647) and the west end of Spout Spring Road (Route 647). The purpose of the request is to rezone the properties from Residential District, R-1 to Commercial District, B-1. The properties are identified as Tax Map Nos. 62 (A)56 and 62 (A)57 and are a total of approximately 4.5 acres in size. ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

2. **Reimbursement of Application Fee:** Mr. Tommy O'Brien submitted a rezoning application and prior to any considerable amount of staff time being expended he withdrew his application. He is requesting that his application fee of $300.00 be reimbursed to him.

   Staff recommends reimbursing Mr. O'Brien the $300.00 application fee.

Mr. Moore made a motion, seconded by Mr. Craft, to reimburse Mr. O'Brien $300.00 for Rezoning Application Fee. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

3. **Request for Musical Entertainment Festival Permit:** Ken and Bonnie Swanson are requesting a permit to hold their annual musical event on September 1, 2007. They have been holding these events for several years and no complaints have been received. They are also requesting the bond fee be waived.

   Staff recommends approving the permit for Ken and Bonnie Swanson to hold a music festival September 1, 2007 and waive the bond requirement.

Mr. Moore made a motion, seconded by Mr. Craft, to approve the Musical Entertainment Festival Permit of Ken and Bonnie Swanson for an event to be held on September 2, 2007 and waive the bond fee requirement. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

4. **Piedmont Court Services Unit Resolution:** A resolution has been received requesting the County to join with other localities in the area and have Piedmont Court Services Unit in Farmville provide pretrial services for the Courts. Presently VASAP out of Farmville, run by Robyn Allen, is providing this service and has provided a letter addressing this matter.

   Staff recommends considering this request.

Mr. Conrad stated that we seem to have two differences of opinions on this matter. It appears that the Juvenile and Domestic Relations Court would like to use the services of the Piedmont Court Services Unit to enable them to refer clients to the Anger Control Program. Ms. Allen, on the other hand, would like to continue with the General District Court without interference from the Piedmont Court Services. When we begin our association with the Blue Ridge Jail Authority, we will no longer be using the services of either of these programs.

Mr. Craft stated that he agrees with Mr. Conrad.

Mr. Carter does not see any reason to change programs at this time since VASAP has been providing excellent services.

Ms. Ferguson said that we will have to make a commitment to join one of these groups as a member of the Blue Ridge Jail Authority. She will do some research on this issue and present it at the next Board meeting.

The Board by consensus, agreed to table this until the next meeting on August 20, 2007.

5. **Nominee for appointment to the Roanoke River Basin Committee:** This matter was held over from the previous meeting in order to allow Mr. Conrad an opportunity to see if he could find a suitable representative to nominate for this appointment.

   Recommendation is to receive report from Mr. Conrad.

Mr. Conrad has contacted Mr. Joel Carnefix to see if he would be willing to serve on this committee. Mr. Carnefix has been active in other affairs of the County and would make an excellent member of the Roanoke River Basin Committee.

Mr. Conrad made a motion, seconded by Mr. Craft, to recommend that Mr. Joel Carnefix be nominated to represent Appomattox County on the Roanoke River Basin Committee. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

At 7:00 p.m. Mr. Carter called for the **APPEARANCES:**

Jillian Mitchel: Ms. Mitchel has requested a time to discuss the lease for the old Courthouse with the Board. Ms. Mitchel is moving from the area and will no longer be able to lease the old courthouse for the theater. There is another group that is interested in taking over the lease and continuing to use the facility for a theater.

Ms. Mitchel stated she had enjoyed working with the Board in getting the Appomattox Courthouse Theater open. She explained that her family would be moving from Appomattox in the fall. She feels she has been blessed in that she has found the right people to continue operating The Appomattox Gallery and Tea Room, the Bed and Breakfast, as well as the Theater as she has in the past.

Mr. Carter stated that Ms. Mitchel has been an asset to our community and thanked her for all that she has done to provide cultural arts to our citizens.

Each of the Board Members expressed their thanks to Ms. Mitchel for being such a vital part of our community and wished her well in her future endeavors.

Ms. Mitchel informed the Board that five committed and talented local citizens would love to continue the non profit community theater and wish to assume direction of the Appomattox Courthouse Theatre, non-profit, and lease the old courthouse from the County for the same purpose.

Landfill Decision: Ms. Alice Rockefeller, Landfill Supervisor and Ms. Lynn Klappich of Draper Aden and Associates: Ms. Ferguson and Ms. Rockefeller have

engaged R. W. Beck to provide a disposal analysis for the landfill operation prior to the County putting out the bid documents for opening a new cell. Ms. Ferguson is sure that each member of the Board is aware it has been several years since the other study was done and there are a number of citizens that feel that opening a new cell is not the best solution for Appomattox County in dealing with our solid waste. Ms. Klappich is employed by Draper Aden and Associates who currently provides engineering services to the landfill.

Ms. Rockefeller introduced Ms. Klappich. Ms. Klappich stated what she wanted to do tonight was walk through the July 12, 2007 draft from R. W. Beck. The first thing she would like to do is that in going through this draft, she noticed an error on Page 3 - Table 2 – Annual Expenses – Landfill Development $281,280 which should be $443,835; Page 5 – Budget Summary $299,940 should be $452,505. R. W. Beck took one year and used landfill budgets from 2004 and 2006 to develop two (2) alternatives - going ahead with construction of a new cell or joining the Region 2000 Authority and transporting waste out of the County.

Ms. Klappich discussed the pros and cons of each alternative and along with Ms. Rockefeller attempted to answer questions from the Board.

Ms. Rockefeller presented a report on the costs involved with manning the dumpster sites. Her recommendation would be to close the smaller sites and man the five super sites which are on property owned by the County and have ample space for fencing and gates.

Ms. Ferguson has asked Ms. Rockefeller to look for possible sites in the area where the Route 620 dumpster site is located for the possible placement of manned sites.

Mr. Carter thanked Ms. Klappich and Ms. Rockefeller for their informative presentation.

6. **Planning Work Session:** Mr. Roark has scheduled a planning work session for August 20, 2007 for the Board of Supervisors and the Planning Commission. The session will begin at 5:00 p.m. with Dinner and then move into the regular board meeting at 5:30 p.m. Ms. Ferguson will try to keep the agenda to a minimum in order that we can complete our business by 6:00 p.m. A full schedule is provided for your approval.

   Ms. Ferguson recommends approving the schedule in order that she may advertise the time change in the regular meeting.

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the schedule for a planning work session for August 20, 2007 and change the time for the regular Board meeting to 5:30 p.m. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter then called for approval of the **CONSENT AGENDA:**

7. **Approval of Minutes:** Please approve minutes of meeting held on July 16, 2007.

8. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

9. **Sheriff's Department:** Please supplement by consent and appropriate $2,878.00 to 3102-1001 Salary; $220.17 to 3102-2001 FICA; and $41.36 to 3102-2002 VRS for increased received by an officer from the compensation board.

10. **Animal Control:** Please supplement by consent and appropriate $100.00 to 3501-5402 Food Supplies in the Animal Control budget for a donation received.

11. **County Administration:** Please supplement by consent and appropriate the follow due to a VRS rate change from the time the budget was adopted until the time the budget went into effect:

	ADD
1201-2002 VRS	$ 873.00
1209-2002 VRS	377.00
1213-2002 VRS	559.00
1302-2002 VRS	210.00
2106-2002 VRS	675.00
2107-2002 VRS	327.00
2201-2002 VRS	3,210.00
2201-2005 Health Insurance	2,756.00
3102-2002 VRS	5,092.00
3103-2002 VRS	110.00
3104-2002 VRS	136.00
3401-2002 VRS	563.00
3606-2002 VRS	1,008.00
4203-2002-VRS	305.00
4204-2002 VRS	340.00
5310-2002 VRS	104.00
7102-2002 VRS	371.00
8104-2002 VRS	244.00

LINE ITEM TRANSFERS:

12. **Juvenile and Domestic Relations Court:** Please made the following line item transfer by consent:

DELETE:
$240.00 from 1101-5804 Operating Reserve

ADD
$240.00 to 2105-3002 Professional Services.

13. **County Administration:** Please make the following line item transfer by consent.

DELETE:
$185.00 from 1101-5804 Operating Reserve

ADD:
$159.00 to 3501-2005 Health Insurance
$ 26.00 to 4302-2005 Health Insurance

14. **Victim Witness:** Please make the following line item transfers by consent:

DELETE:
$ 23.00 from 2220-2009 Unemployment Insurance.
$708.00 from 2220-5203 Telecommunications
$120.00 from 2220-5401 Office Supplies
$ 50.00 from 2220-5411 Books/Subscriptions
$466.00 from 2220-5501 Mileage/Meals

ADD:
$865.00 to 2220-1001 Salary/Wages
$ 90.00 to 2220-2001 FICA
$ 4.00 to 2220-5201 Postage
$408.00 to 1101-5804 Operating Reserve

15. **County Administration:** Please make the following line item transfer by consent.

DELETE:
$1,150.00 from 1101-5804 Operating Reserve

ADD:
$1,150.00 to 5301-5304 State Local Hospitalization

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter then directed attention to the **INFORMATIONAL ITEMS:**

16. **Watershed Dams:** Correspondence received from the Natural Resources Conservation Services concerning two watershed dams that they constructed in the community over 50 years ago. It appears that they are in the process of turning the care and maintenance of these structures over to Robert E. Lee Soil and Water Conservation District.

17. **Department of Game and Inland Fisheries:** As you will remember, we wrote the Department of Games and Inland Fisheries and requested that they establish boating access to the Appomattox River for recreation purposes. Enclosed is their response to our request.

18. **GIS Class:** Enclosed is an article about the GIS Class that Appomattox County

employees attended at the CVC Satellite.

19. **Region 2000 Update:** Enclosed is a newsletter from Region 2000 for your review. This is a good way to keep informed of various activities that are occurring throughout the region.

20. **Certifications:** In order for the County to continue to receive certain funding from the State and Federal Governments in regard to Homeland Security, most of our supervisors are required to pass several courses concerning Incident Management. Barry Watkins has passed the first course of the three that he is required to take.

Mr. Carter next called for **SUPERVISOR CONCERNS:**

Mr. Conrad: Several weeks ago we went to Farmville and met with a couple of Delegates and Representatives from Richmond as to budget issues with the School Board. We learned quite a bit. With approximately 56% of our budget going to the operation of the school system, we looked at what some of the counties in larger areas have to give to their students. He would like to suggest that the Board of Supervisors have a joint meeting with the School Board on October 22, 2207. This is the first meeting of the School Board that would be convenient for us.

He also attended a recent meeting concerning Youth Obesity. Our schools are doing a lot in this area.

Mr. Craft: Social Services are providing a food pyramid to participants in the food stamp program.

Mr. Carter: With the tragedy in Minneapolis, Minnesota last week, he believes it was a wake-up call for all Americans about the serious risks posed by aging infrastructure within the United States. Whether we citizens think about it or not, at some point in our daily commutes, we more than likely have to cross a bridge – whether it be to go to work, to go to a store, to go to school, to visit loved ones, or to reach our homes. In so doing, we naturally expect to be safe and secure as we pass across a bridge.

To insure that such a tragedy does not take place in Appomattox County, he would like to request that Ms. Ferguson contact Don Austin, with the Virginia Department of Transportation (VDOT), to inquire if there are any bridges in Appomattox County that could pose safety concerns. If so, the Board can take appropriate measures to rectify the situation.

Ms. Ferguson will contact Don Austin to find out if there are any bridges that need repair.

UPCOMING MEETINGS

Regular Scheduled Meeting
Monday, August 20, 2007

Dinner - 5:00 p.m.

Regular Schedule Meeting
5:30 p.m.

Joint Meeting with Planning Commission
6:00 p.m.

Planning Work Session with Ann N. Cosby of Sands, Anderson, Marks & Miller
7:00 p.m.
All at the Community Center
****

Regular Scheduled Meeting
Tuesday, September 4, 2007
6:30 p.m.
Community Center
****

Regular Schedule Meeting
Monday, September 17, 2007
6:30 p.m.
Community Center
****

At 8:15 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)-

Samuel E. Carter

Samuel E. Carter, Chairman

On Monday, August 20, 2007 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Dinner at 5:00 p.m. and a regular scheduled meeting at 5:30 p.m. at the Appomattox Community Center, located on Community Lane, Appomattox, VA.

PRESENT (Board of Supervisors):
Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson - County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 5:30 p.m. Mr. Carter called the meeting to order and asked Mr. Moore to deliver the invocation which was followed by the Pledge of Allegiance to the American Flag.

Mr. Carter stated the first item of business was the **Setting of the Agenda:**
Ms. Ferguson stated there were three items to be added:

5A. **Roanoke River Basin Advisory Committee Appointment:** Need recommendation for someone to serve on this committee.

5B. **Children at Play Sign:** Mr. Moore has received a request for a "WATCH FOR CHILDREN" Sign for Bear Branch Road, Route 686.

5C. **Courthouse Theater:** Transfer of Lease on the Old Courthouse Building.

The next item of business was the **Citizen Public Comment Period:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

There was no one present that wished to speak at this time.

Mr. Carter then presented the **ADMINISTRATIVE ITEMS:**

1. **Landfill Decision:** At the August 6, 2007 meeting the Board was provided with additional information concerning the two (2) options for disposing of solid waste generated in Appomattox County. There were numerous questions that Ms. Rockefeller and Ms. Lynn Klappich responded to quite appropriately. If we are to continue to meet the solid waste needs of the County, a decision is imperative in order that we may move forward.

Recommendation: Making a decision either to open a new cell or haul our trash out of the County as we are presently doing. If your decision is to haul trash out of the County then do you want to make a request to the Regional Solid Waste Authority for membership? Also, do you wish to move forward with

closing the sites recommended for closure by Ms. Rockefeller and with manning the five sites that are left?

Mr. Craft asked when we would know what it will cost us to join the Regional Solid Waste Authority?

Ms. Ferguson stated that as soon as we make the request to become a participating jurisdiction. She has not been able as yet to get in touch with Bob White who can tell her what the other jurisdictions have put into this authority. They have been working on this for several years and whatever they have paid in administrative and engineering fees is what they would be requesting our portion to be. At the present time, she does not have a figure on this.

Also, Mr. Craft wanted to know if we could back out after we got these figures?

Ms. Ferguson replied that we would not sign anything until we had all the costs involved.

Mr. Conrad stated that in discussing this two weeks ago, we were certainly aware of the fact that by taking this option of hauling the trash to Lynchburg, it would be cheaper and it would give us some flexibility as far as our sites around here. Also, one thing that would be easy to look at would certainly be a plus that in the event that we are going to still have our landfill that we can reopen and utilize. Also, based on the information we received, at no time would our landfill be used as a regional landfill, so as a result of that it looks to him like we should give this a try as it looks to be a saving to the taxpayers.

Mr. Armbrust stated he knew that we have been operating the landfill for more than thirty (30) years. How long are our permits good for and could we reopen within the allowed period.

Ms. Rockefeller replied that the regulations are in the process of being changed but we would only need to amend the permit we already have. Our permit will not likely expire.

Mr. Moore asked if the regional landfill is the one in Lynchburg as you are going towards the lower basin. He questions how much longer they will be able to stay in this area.

Ms. Rockefeller stated they hoped to be at this location for a few more years and then most likely move to Campbell County.

Mr. Craft asked if our trash would be going to Lynchburg.

Mr. Conrad stated that as a result of the Lynchburg facility closing down, our trash would then be taken to Campbell County. Do we know if this would change the "tipping fees".

Ms. Rockefeller answered No, the Authority actually owns the landfills and the fee would most likely not change just because of moving.

Mr. Carter commented that one of the things he thought about this past week, was the introduction of Wal-Mart which will have a domino effect on our lives one way or another. One positive way is that we will grow. It should increase our tax base, but also create more garbage, so with this, we would be looking at actively pursuing ways and means to try to keep our landfill open and we know how much it costs to open up a cell. With the regional concept, it seems to be (1) it is better monetarily to move in that area and (2) he thinks it will really benefit the whole Region 2000. With that and with what everyone else has said, it makes good sense to him also.

Mr. Conrad made a motion, seconded by Mr. Armburst, to join with the Regional Solid Waste Authority and have our trash hauled out of the County. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Ms. Ferguson said that her next move would be to write the Solid Waste Authority explaining that the Board is interested in participation in the Regional Solid Waste Authority and ask for guidance as to what our next step should be.

Mr. Conrad requested that we ask them for a response as quickly as possible.

Mr. Carter asked if the Board wished to move forward with closing the sites that were recommended by Ms. Rockefeller.

Mr. Craft read the following statement on manned sites: "I have been for manning these sites for a long time, as I have seen how well they work in other counties. However, under the plan submitted, I cannot support it. It short changes a lot of citizens in my district as well as a good many in Tom's district. If we close the Hixburg site (Route 618), I am confident it would be more convenient for a lot of the people to use the Route 620 site. I have visited all the sites and I feel the Route 620 location is a better suited site than at least one other site where space is limited and I think the other location is a hazardous location as far as vehicles entering and leaving the site."

"We already have spent a lot of money in the Route 620 site and if we close it down this will have to be returned back to normal."

"I have talked with the owner's father on the Route 620 site and he is willing to provide more land and enter into a long term lease as much as 20 to 25 years. We did not get into cost. But his last statement was 'get the papers ready'. I think the rent on this property would be something we could live with."

"I again would like to state this would not be treating the people in this area fairly. This would also put a lot more traffic on the landfill road which is not in the best of shape."

"It is not the taxpayers of this areas fault that the county does not own any land that can be used."

Mr. Conrad stated he thought that based on the problems we have at some of the dumpster sites with trash being thrown here and there and everywhere, that we would like to go with the manned sites certainly to stop the amount of trash that is thrown everywhere and certainly encourage recycling more which will be mandated more and more in the future. Based on looking at the map, he is going to support Mr. Craft on this because if you remove the 620 site, as well as the Hixburg site, he does not feel we would be doing the citizens in that area justice. He thinks that in the long haul with manning the sites, it will cost us some money with the less costs being transporting trash.

Mr. Carter stated that from the discussion from a couple of weeks ago, it would cause some hardship on people in the Pamplin/Hixburg area as they would have to travel further to a dumpster site.

Ms. Ferguson said she, Ms. Rockefeller and Mr. Craft have discussed the Route 620 site and if we could get a little bit more area, it might work better. There will be more cost involved in getting this site ready than some of the other sites. Ms. Rockefeller will begin looking more closely on how to handle this site.

Mr. Conrad made a motion, seconded by Mr. Carter, to close two (2) dumpster sites – Hixburg (Route 618) and Ida Campbell's site (Routes 667 & 668). ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter called for further discussion. Mr. Craft said originally he would have lost two (2) sites in his district, Route 620 and Hixburg. Under the new plan, he would only be losing one – Hixburg.

Mr. Armbrust stated that the Route 667 & 668 site was the one they had discussed previously. He also thinks we need to look at the fact that there are a lot of elderly citizens that would have to drive four miles further and have to cross Route 460. He would like to see a manned site available to this area prior to the closing of this site.

Ms. Rockefeller stated that with the manned sites, there would be four miles further to drive, but also there would be personnel there to assist these elderly citizens with their trash.

Mr. Carter stated that the motion had been duly made and seconded and called for a roll call vote. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Craft made a motion, seconded by Mr. Conrad, to provide six (6) manned dumpster sites. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Carter, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. **Revision to Ordinance on Courthouse Security Conviction Fees:** On August 6, 2007, a public hearing was held to add Juvenile and Domestic Relations Court to Article XVII Section 147-64 of the County Code concerning the

assessment of conviction fees for the Courthouse Security Fund. No comments were received.

Recommendation: Adopting the revision to the County Code to include Juvenile and Domestic Relations Court to Article XVII, Section 147-64, to be effective September 1, 2007.

Mr. Armbrust made a motion, seconded by Mr. Craft, to adopt the revision to the County Code to include Juvenile and Domestic Relations Court to Article XVII, Section 147-64 concerning assessment of conviction fees for the Courthouse Security fund. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Disaster Designation in Response to Drought Conditions:** The Cooperative Extension has approached Ms. Ferguson about the Board of Supervisors adopting a resolution declaring Appomattox County a disaster area due to the drought conditions that have existed for most of the summer. Bruce Jones, Farm Specialist, has provided information concerning loses that have been incurred by the farmers.

   Recommendation: Adopting the proposed resolution declaring Appomattox County a disaster area due to drought conditions.

Mr. Craft stated that several other counties have already adopted similar resolutions.

Mr. Conrad stated that this would basically make the farmers in Appomattox County eligible to receive benefits through USDA and natural disaster programs. These are federally funded programs.

Mr. Conrad made a motion, seconded by Mr. Armbrust to adopt the following drought relief resolution as proposed by the Virginia Cooperative Extension Office:

DROUGHT RELIEF FOR THE FARMERS OF APPOMATTOX COUNTY

WHEREAS, the drought conditions in the County of Appomattox have severely affected farmers: and

WHEREAS, during the growing season of this year the County of Appomattox has received considerably less rain than normal while experiencing unseasonably high temperatures; and

WHEREAS, the County of Appomattox Food and Agricultural Council, made up of the Farm Service Agency, the Natural Resource Conservation Service, and Virginia Cooperative Extension, has reported that approximately 25,855 acres of farm land has been adversely affected within the County at an estimated loss of $1,516,027.00;

AND WHEREAS, it is incumbent upon the Board of Supervisors of Appomattox County, Virginia, that the County Administrator is hereby instructed to file with the Governor of Virginia a request that the County of Appomattox be designated as a drought disaster area.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Piedmont Court Services Unit Resolution:** Ms. Ferguson has not had an opportunity to properly research this matter. She will try to have information ready for the September 4th meeting.

This item will be placed on the September 4th, 2007 Agenda.

5. **CVCC Phase 2 Grant Application Resolution:** With the help of the Local Government Council and CVCC, we plan to apply to the Education Committee of the Tobacco Commission for additional funding for CVCC Phase 2. Grant applications are due August 31st. A resolution will be presented to the Board authorizing this grant request.

Mr. Craft made a motion, seconded by Mr. Armbrust, to approve the following resolution authorizing the County to apply to the Education Committee of the Tobacco Commission for additional funding for CVCC Phase 2.

INDEMNIFICATION AND COMMUNITY REVITALIZATION COMMISSION EDUCATION GRANT PROGRAM FUNDS TO ADDRESS WORKFORCE DEVELOPMENT AND EDUCATION NEEDS IN THE COUNT OF APPOMATTOX

WHEREAS, The Virginia Tobacco Indemnification and Community Revitalization Commission (TICRC) has announced available funding for their Education Grant Program, and

WHEREAS, The County of Appomattox and the Appomattox Workforce Development Center Management Team underwent a thorough planning process to identify and prioritize long-term needs to strengthen and sustain the County of Appomattox, has identified workforce training deficiencies and opportunities in the county; and

RESOLUTION TO ENDORSE THE APPLICATION FOR VIRGINIA TOBACCO

WHEREAS, The County of Appomattox, acting on the recommendations developed in the abovementioned process, has developed and opened Phase I of the Appomattox Workforce Development Center at the Carver-Price Educational Complex; and

WHEREAS, due to outstanding community interest and support, the County of Appomattox and Central Virginia Community College have agreed to continue the execution of the Appomattox Workforce Development Center Master Plan by initiating the construction of Phase II, which will include additional classroom and laboratory space; and

WHEREAS, approximately $700,950 will be expended on Phase II of this project, with the primary funding sources being a TICRC Education grant ($250,000 awarded in 2006 and an anticipated award of $250,000 in 2007), an anticipated TICRC Economic Development Grant of $71,401 and $129,549 from the County of Appomattox and other potential sources; and

WHEREAS, the Appomattox County Board of Supervisors is committed to the continued development and expansion of a workforce development center in Appomattox and will be responsible for the management, maintenance, and operation of the building to ensure that the center can continue as long as Central Virginia Community College continues to lease the facility for classes and programs that improve and enhance the education and career preparedness level of the workforce and business community of Appomattox County.

THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Appomattox wishes to apply for funding in the amount of $250,000.00 from the Virginia Tobacco Indemnification and Community Revitalization Commission for an Education Grant to be utilized to

develop Phase II of the Appomattox Workforce Development Center at the Carver-Price Educational Complex.

BE IT FURTHER RESOLVED THAT Aileen T. Ferguson, County Administrator, is hereby authorized to sign and submit the appropriate documents for submittal of this TICRC Education Grant Application, and to execute any necessary legal documents if the grant is awarded to the County of Appomattox.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5A. **Roanoke River Basin Advisory Committee Appointment:** At a previous meeting Mr. Conrad nominated Mr. Joel Carnefix to serve on the Roanoke River Basic Advisory Committee. The appointments are made by the General Assembly through Region 2000. The three (2) nominees are Rick Youngblood, Campbell County; Mark Wagner, Bedford County; and Joel Carnefix, Appomattox County.

Mr. Conrad made a motion, seconded by Mr. Armbrust to present Joel Carnefix, Appomattox, Virgnina to Watkins Abbitt for endorsement. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5B. **Children at Play Signs:** Mr. Moore has been approached by Randy Seay concerning placing a "WATCH FOR CHILDREN" sign on Route 686 "Bear Branch Road". Mr. Moore has contacted VDOT and was informed that they needed a resolution from the Board asking that VDOT install these signs.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to adopt the following resolution authorizing VDOT to install a "WATCH FOR CHILDREN" sign on Route 686 – Bear Brach Road.

WHEREAS, the Appomattox County Board of Supervisors acknowledges the need to provide a safe environment for our children, and

WHEREAS, Mr. Randy Seay has approached the Board of Supervisors with concern for the need for WATCH FOR CHILDREN signs on Route 686; and

WHEREAS, Mr. Seay has agreed to bear the cost for the signs and installation,

NOW THEREFORE BE IT RESOLVED, that the Appomattox County Board of Supervisors is requesting Virginia Department of Transportation to pursue the installation of WATCH FOR CHILDREN signs on secondary Route 686.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5C. **Appomattox Courthouse Theater:** Ms. Mitchel made a request at the last meeting to allow the Appomattox Courthouse Theater to assume the lease on the building. Mr. Overstreet and Ms. Ferguson are continuing to work with Valerie Daugherty on this lease. Ms. Ferguson is asking that the Board approve the Lease contingent upon Mr. Overstreet's approval of the items that are necessary to protect the County.

Mr. Craft asked it this was basically what we had before, with the exception in the change in the name.

Ms. Ferguson stated there was to be no change in the Lease, just the format because instead of an LLC leasing the building, it will be a Board of Directors. Things have to be done a little different according to Mr. Overstreet.

Mr. Craft made a motion, seconded by Mr. Armbrust, to accept the new Lease on the Old Courthouse from the Appomattox Courthouse Theater upon approval from Mr. Overstreet. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **CONSENT AGENDA:**

6. **Approval of Minutes:** Please approve minutes of Public Hearing on 8-6-2007 and Regular Meeting of 8-6-2007.

7. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

8. **Sheriff's Department:** Please supplement by consent and appropriate $88.52 to 3102-1002 Overtime for reimbursement received for officers working security for Express Lane.

9. **Library:** Please supplement by consent and appropriate $1,076.08 to the following line items for donations, book replacement fees and book sales:

7301-5401 - Office Supplies	$425.25
7301-5411 - Books	650.83

10. **Zoning and Subdivision:** Please supplement by consent and appropriate $300.00 for refund on a rezoning application.

LINE ITEM TRANSFERS:

11. **General Properties:** Please transfer by consent $180.00 from Operating Reserve in the Board of Supervisors budget to 4302-3002 Professional Services in the General Properties budget for mowing grass at the Animal Pound.

Mr. Moore made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **INFORMATIONAL ITEMS:**

12. **Monthly Department Reports:** Reports on the activities of the following County Departments:
    a. Animal Control
    b. Building and Housing
    c. Comprehensive Service Act
    d. Landfill
    e. Parks and Recreation
    f. Victim/Witness Program

g. Planning

13. **Virginia Outdoors Foundation:** We received a request from the Virginia Outdoors Foundation concerning several parcels of property that residents wish to place in the conservation easements program. The Foundation wanted to know if the County had any problems with this easement. Johnny Roark researched the sites and wrote to the Foundation stating that we have no problem with these easements.

14. **A.W.A.G's Grant:** A.W.A.G. has provided a flyer with information concerning a grant that they have received to help with spay and neutering animals in the County.

15. **Robert E. Lee Soil and Water Conservation District:** Minutes of the June 28, 2007 meeting of the Board of Directors of the Robert E. Lee Soil and Water Conservation District.

16. **United Way of Central Virginia:** The United Way has provided information concerning the needs that they have responded to in Appomattox County from April 1, 2007 to June 30, 2007.

17. **Monthly Financial Report:** Financial report for the month of July, 2007 for the Appomattox County Public Schools.

Mr. Conrad stated he was impressed with the report, from Ms. Dixon on Tourism, stating that business has increased for our businesses and tourist attractions over the same period last year.

Mr. Carter then called for **SUPERVISOR CONCERNS: (Item 18)**
There were no concerns expressed at this time.

At 6:07 p.m. Mr. Carter called for a short recess to conduct the Public Hearing for Planning Commission Petitions.

At 7:00 p.m. Mr. Carter re-convened the meeting.

Mr. Roark introduced Ms. Ann Neil Cosby, with Sands, Anderson, Marks and Miller, Attorneys At Law in Richmond, Va.

Ms. Neil gave an informative presentation entitled **"Primer On Important Zoning Issues"**, which covered:

SECTION ONE – ROLES AND RESPONSIBILITIES

- Role of the Board of Supervisors (The Policy Makers)
- Role of the Planning Commission (Advisory Board)
- Role of the Zoning Administrator (Ministerial Agent)
- Role of the Board of Zoning Appeals
- Dillon's Rule
-

SECTION TWO – CONSTITUTIONAL REQUIREMENTS AND DECISION MAKING:

- Authority to Zone
- Regulations Must Be Constitutional
- Two Types of Due Process
- Proper & Improper Purpose
- Regulations that are Fairly Debatable
- Regulations that are Arbitrary and Capricious
- Regulatory Framework for Planning Commission Decisions (Review)
- The Comprehensive Plan
- The Zoning Ordinance
- Authorized Objectives of Zoning Ordinances (VA Code §15.2-2283)
- Authorized Objective of Zoning
- Conditional or Proffered Zoning
- Special or Conditional Use Permits or special Exceptions
- Spot Zoning

SECTION FOUR – CONFLICT OF INTEREST ACT:

- Conflict of Interest Act
- Conflicts of Interest outside of the Act
- Attorney General's Directive
- Conflict may still violation Due Process
- Act Covers Three (3) Categories
    - Acts that Are Generally Prohibited (Va. Code §2.2-3102-3104-1)
    - Prohibited Conduct Regarding Contracts (Va. Code §2.2-3105-3110)
    - Prohibited Conduct Regarding transactions (Va. Code §2.2-3111-3112)
- Advisory Opinions (Va. Code §2.2-3126)

SECTION FIVE – ROLE OF THE COUNTY ATTORNEY:

- Role of the County Attorney

Mr. Carter thanked Ms. Cosby for her presentation.

Mr. Carter reminded everyone of the upcoming meetings.

UPCOMING MEETINGS

Tuesday, September 4, 2007
Regular Scheduled Meeting
6:30 p.m.
Community Center

Monday, September 17, 2007
Regular Scheduled Meeting
6:30 p.m.
Community Center.

At 7:39 p.m. Mr. Moore made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter, Chairman

On Monday, August 20, 2007 at 6:00 P.M. the Appomattox County Board of Supervisors held a Joint Public Hearing with the Appomattox County Planning Commission at the Appomattox Community Center located on Community Lane, Appomattox, VA.

PRESENT: (Board of Supervisors)
Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT: (Planning Commission)
George Almond – Chairman
Kevin O'Brien
Calvin Tanner
Steve Conner
Al Sears
Susan Hudson
Barry Morris
Shannon Dews
Bryan Baine
Marvin Mitchell

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 6:13 p.m. Mr. Carter opened the Public Hearing and read the following statement: *This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions.*

Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Roark:

Mr. Roark presented the first petition to be heard:
CUP07005 – Appomattox County Economic Development Authority; Mid-Atlantic Broadband, LLC (Agent): The applicant is requesting a Conditional Use Permit for property located off Oakville Road (Route 26) in order to locate a 192 foot telecommunications tower on the property. The property is zoned M-IP, Planned Industrial Park District, contains approximately 400 plus acres and is currently home to two (2) industries which will be located about 500 feet to the west of the tower site. The surrounding area is a mixture of R-1, R-2 and A-1. Tax Map #63 (A) 80.

Mr. Roark gave a power point presentation showing the area to be served by this fiber line as well the surrounding areas.

Mr. Roark called for comments in favor of the petition.

Tad Deriso, General Manager of Mid-Atlantic Broadband: They are very excited about the project here in Appomattox. This will represent a new way we approach the last mile issue and how we extend the broadband network for residential and business customers. He does think it is important to note that this is not a cellular tower. This is a communications tower that will provide next generation wireless and broadband services to the County as well as the Town of Appomattox. About two years ago, Gov. Warner came to Appomattox and laid a portion of this line and Appomattox will be the first County to have an access tower to this service. There will be a lot of PR and a lot of press on this area in general. He then introduced Jeff Reid, with Digital Bridge Communications and it is their company that will be putting the wireless communications on this facility.

Jeff Reid – Digital Bridge Communications: They hope to be the first tenant on the new tower. Their business is providing next generation broadband wireless internet and they are excited to be doing this in Appomattox. Most of you are probably aware of the benefits of broadband internet but he will discuss it briefly. According to the news media, 72% of Americans now have broadband access. Over 50% are now accessing broadband or are subscribers to some type of broadband service. These numbers are growing but there are still places in the country that lack a variety of broadband options. You can see some of the benefits for any town that has more broadband options whether it be visitor based networks in tourism, education system and certainly the economic benefits to people who did not previously work from home, will now be able to do that. That creates jobs and also relieves some of the congestion on the roads.

There are certainly ways a community can benefit from having more broadband today. The service they intend to offer is the brand name Bridgemax and their prices will be from under $30.00 for two (2) megabytes per second. His understanding is that it is significantly cheaper than some options that are around. It is also significantly faster than dial up. One of the interesting things about this service is that it is portable. Most of their subscribers in town will get a devise (modem) that is plugged into a wall power outlet and also into the back of the computer. You will be surfing the internet right away. You can use this at home or take it with you to the office, you do not have to have another broadband option. This modem can be used anywhere in the same coverage area. Some areas on the edge of the coverage area will have a device attached to the outside of their house, but this one cannot be moved around. He explained the different areas that they will be able to cover. They need this new tower to link to the NBC fiber ring. The NBC fiber ring is like an information super highway, but unless we can connect to that highway, we cannot provide the broadband access for all our customers. Over 1,000 homes and 350 businesses should be eligible to sign up for their services. They are looking for permission to continue through the zoning tonight and be able launch as soon as possible, hopefully by October.

There was a brief question and answer period for Mr. Reid.

Bill Slagle, 519 Breezy Hill Road, Spout Spring, VA: He would like to remind everyone about what happened on or about September 5th two years ago, when then Gov. Warner was here, his words were that the Tobacco Commission had funded all these connections in southside Virginia. His comment was that we would not continue to be at a continued disadvantage with the more metropolitan areas. This is what is called the last mile of putting broadband into the community. The schools have expressed a great deal of interest in this, existing businesses and future businesses as well. He encourages the Board to approve this request.

Bobby Wingfield, 2498 Old Evergreen Road, Evergreen, Va: He feels that this will enhance the quality of life in our community as a whole. He has been assured by Mr. Dariso that as an employee of County Public Safety that we will have space available on this tower and more importantly, space in their shelf and the space in their shelf is more important than that on the tower. It will be a tremendous savings to the County. Also if we were to be unable to transmit on the one tower we have now, we would be able to communicate with our law enforcement on the new tower.

Fred Underwood, 335 Tower Hill Road, Appomattox, VA: He would like to state that it is a "crying shame" that we have had this thing here for two (2) years and no way to get to it. It is "high time we got on with it".

Walter Krug, 2278 Southfork Road, Appomattox, VA: He is in support of this petition. This is a very exciting time in Appomattox. Mr. Conrad has talked about the increase in tourism and this is a natural adjunct to that. Once we get this available to people, they will see how valuable it is, both to citizens in the community as well as the businesses and the governmental officials. Having labored under dial-up service for several years, the opportunity to have faster internet connections will have a vast impact on many people, students who want to do work at home, parents who want to do

various things and he supports this fully. This is the first step up the "Mountain" it is not the top of the "mountain", but the first step.

Bill Lu, 215 Peaceful Meadow, Spout Spring, Va.: He has been trying to get Jet Broadband for years. He runs a restaurant and is in favor of this service, as soon as possible.

Mr. Roark asked if anyone else wished to speak in favor of this petition.

Mr. Roark asked if anyone wished to speak against this petition.

Hearing no one, Mr. Roark presented the next petition:

CUP07006 – James Kennon T/A Kennon Auto Sales: The applicant is requesting a Conditional Use Permit for property located on Richmond Highway (Route 460) in order to re-locate his business (automotive sales and service). The proposed property is located on the south side of Richmond Highway (Route 460) on the east bond lane and bounded on the east and south by Phoebe Pond Road (Route 609). Property is zoned Commercial District, B-1, consists of approximately 2.42 acres , Tax Map #72 (3) 2 and is located in the Concord Business Park which is currently home to a mixture of business and industry. The entrance to this business would be from Phoebe Pond Road.

Mr. Roark called for comments for the petition.

James Kennon, 6244 Narragansett Drive, Lynchburg, VA: He has been in business for about twenty (20) years. Two years ago, he moved to the Route 460 location. He feels the new property will be a much better location and he will have room for growth. He presently has seven (7) employees and would like to be able to hire more.

Mr. Roark called for comments against the petition.

Ms. Virginia Watkins, 1167 Phoebe Pond Road, Concord, VA: She lives directly across from the location we are talking about. It is all residential in there. Personally, it just seems like to her it would be an eyesore. If it were buffered right with fast growing trees maybe it would be considered. She is against this petition.

Ms. Nancy Almond, 1243 Phoebe Pond Road, Concord, VA: She lives in the same general vicinity as this proposed automotive sales and service. She feels this would be an eyesore to the neighborhood. Grass and weeds will be allowed to grow and she is against this petition.

Mr. Roark asked for additional comments. Hearing none, he turned the meeting back to Mr. Carter.

Mr. Carter closed the public hearing at 6:40 p.m.

Samuel E. Carter

On Monday, August 20, 2007 at 7:00 p.m. the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Planning Work Session with Ann N. Cosby from Sands, Anderson, Marks and Miller Attorneys at Law at the Appomattox County Community Center located on Community Lane, Appomattox, Va.

PRESENT (Board of Supervisors):
Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):
George Almond – Chairman
Kevin O'Brien
Calvin Tanner
Steve Conner
Al Sears
Susan Hudson
Barry Morris
Shannon Dews
Bryan Baine
Marvin Mitchell

At 7:00 P.M. Mr. Carter called the work session to order.

On Tuesday, September 4, 2007 at 6:30 p.m., the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox Community Center, located on Community Lane, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
John G. Overstreet – County Attorney

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Armbrust to deliver the invocation, after which everyone was invited to join in the Pledge of Allegiance to the American Flag.

Mr. Carter called for the first order of business: **SETTING OF THE AGENDA:** There were no additions or deletions to the agenda.

Mr. Carter next called for **CITIZEN PUBLIC COMMENT PERIOD:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

No one came forward to speak at this time.

The next item on the agenda was **APPEARANCES:**

Don Austin, VDOT Resident Administrator: Mr. Austin meets with the Board requesting a resolution accepting adjustments to the secondary system of state highways in the County. Mr. Austin will also discuss the status of the bridges in the County per your request of August 7th.

Mr. Carter asked Mr. Austin to give a report on the conditions of bridges in the County following the bridge collapse in Minnesota.

Mr. Austin stated that there are about eleven (11) bridges of this type in Virginia. None are located in Appomattox County. They are mandated to inspect all bridges every two (2) years. There are 112 structures in Appomattox County. Eight (8) of these are considered deficient – below 50% rating. Two (2) are scheduled for replacement. The Route 636 bridge, which is the worst, has been reduced to a 9 ton limit.

Mr. Austin explained that the resolution presented tonight was for re-locating a short piece of road at the intersection of Route 659 and Route 26.

Mr. Craft made a motion, seconded by Mr. Moore, to adopt the following resolution from VDOT regarding adjustment required in the secondary system – Route 659 and Route 26.

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch depicting the adjustments required in the secondary system of state highways as a result of Project 0659-006-P15,N501, which sketch is hereby incorporated herein by reference,

WHEREAS, the new road serves the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need, and

NOW, THEREFORE BE IT RESOLVED, this Board hereby abandons Segment BD as part of the secondary system of state highways, those portions of road identified by the sketch to be abandoned, pursuant to Section 33.1-155, Code of Virginia.

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to add Segment BA to the secondary system of state highways, those portions of road identified by the sketch to be added, pursuant to Section 33.1-229, Code of Virginia, and

BE IT FINALLY RESOLVED, this Board orders that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Austin commented that he has spoken to Ms. Ferguson today on the subject of the Photo Red Lights – the ones with cameras that detect persons who run red lights. He quoted the criteria for installing this type of light. The main criteria is one per 10,000 people. Therefore, none of the traffic lights in Appomattox County would qualify.

Ms. Ferguson stated that we have been placing a lot of the "Watch for Children" signs recently. There is an option in the Code that will allow the locality to pay for this and the installation out of the Secondary Road Construction money. Appomattox County has never exercised this option, we have always taken the position that if an individual felt it was necessary for these signs to be put up, the community would pay for the purchase of the sign and the installation costs. Someone at VDOT had given Mr. Moore some different information, that there would be no cost to the citizens, that the cost would come from the County's money. That is not the case here, we have always taken the position that the individual citizen would bear the costs and she has never had anyone complain. We find out what the cost will be from VDOT and then pass that information along to the individuals involved. This is not free to the citizens – if they wish to have a sign put up, the individual or community will be responsible for the cost.

Ms. Ferguson has also received a complaint regarding the patching that has been done on Route 605. They feel the present gravel conditions are unsafe.

Mr. Carter then called for action on the **ADMINISTRATIVE ITEMS:**

1. **Planning Commission Recommendations:** The Planning Commission has submitted its recommendations from the Public Hearing held on August 20, 2007:

CUP07005 – Appomattox County EDA- Mid-Atlantic Board-Band Cooperative (Agent) is requesting a conditional use permit for property located on the south side of Industrial Park Lane near the intersection of Oakville Road. The conditional use is to locate a telecommunications tower on the property.

The Planning Commission recommended approval of this petition.

After a brief discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to approve the request by Appomattox County EDA-Mid-Atlantic Broad-band Cooperative for a conditional use permit to locate a telecommunications tower on property located on the south side of Industrial Park Lane near the intersection of Oakville Road (Route 26). VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

CUP07006 – James W. Kennon Auto Sales: Requesting a conditional use permit for property located on the south side of Richmond Highway between Phoebe Pond Road and Stratford Road. The purposed use for the property is automotive sales and service.

The Planning Commission recommended approval of this petition with the following conditions: "A buffer shall be planted along Phoebe Pond Road from the entrance to the sales lot to the rear of the building. The buffer shall consist of Leyland cypress trees planted 20' on center.

Mr. Craft questioned the size the cypress trees would be at maturity. Someone stated they grow about 10' tall.

Mr. Armbrust stated that this property is located in his district and he has been to look at this property. In looking at the property, the Planning Commission, was talking about the cypress trees being placed to block the view from the present residents. His main concern is the dust that will be created from the graveled parking lot. His problem is not with the auto sales lot, as he feels it will be a good location. He does however, feel that the cypress trees should be planted along the entire side of Phoebe Pond Road and that the lot should be paved rather than gravel.

Mr. Craft and Mr. Carter both agree with Mr. Armbrust in that the main concern should be the residents on Phobe Pond Road.

Mr. Moore stated he recommends that the cypress trees should be planted 15' on center rather than 20'.

Mr. Overstreet suggested that staff could look at the location and maybe mark the plat as to where the trees should be planted as well as exactly where the paving should be done. A check with VDOT on the sight distance should also be considered.

Mr. Armbrust suggested that a plan be submitted showing the area to be paved as well as the location of the trees to be planted. This plan should be reconsidered at the next meeting on September 17 for final approval. The Board by consensus agreed to look into this suggestion.

2. **Waiver Request – Section 3.8.1 - Subdivision Ordinance:** Robert and Sandra Day are requesting a waiver of Section 3.8.1 of the Subdivision Ordinance. This section deals with the qualifying ownership of a parcel prior to dividing the parcel under the family division provisions.

   Recommendation: Considering the request for waiver and making a decision.

Mr. Conrad stated that based on the information that has been presented and Article a. of Section 7.1.1 – Qualification of Waiver –"There exists an unusual situation or where strict adherence to the subdivision regulations would result in substantial injustice or hardship." Certainly what we should be looking at is that this family has an individual that has served a couple of tours in Iraq, and probably will be deployed again after this present stint. His wife certainly does need help from the parents and grandparents. Based on the facts received, he feels this waiver is not too much to ask.

Mr. Craft agrees with Mr. Conrad.

Ms. Ferguson stated several of the Board members had spoken to her today concerning this request and if the applicants met the criteria. Her answer was yes. However, Mr. Overstreet has informed her that she gave you an incorrect answer. They do not meet the hardship criteria, as they do not presently own the property, they are seeking to purchase this property.

Mr. Overstreet commented that what Mr. Conrad has stated is true, but he has a concern that if someone else with the same situation makes a request in the future, would we treat it in the same manner.

Mr. Conrad stated that in this case, since they have not purchased the property, they could look at other property, but he would say that with what we have before us, they certainly like this place the best and although there is no hardship, does this forbid us from granting this waiver.

Mr. Overstreet stated in answer to Mr. Conrad's question, the Board does have the authority to grant this waiver. The concern he has is that it could set a precedent should something similar come up in the future. An important thing in making these decisions, is to treat everyone in the same situation in like manner. It can be argued that a contractual right to buy property gives some right to the property. It is some ownership element. You can grant this waiver, but when you do this, you are open to something similar coming up.

After a lengthy discussion and despite the fact that the Board is sympathetic with this situation, Mr. Conrad made a motion, seconded by Mr. Craft, to deny this waiver request

based on the way the statute is written. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next introduced **Gary Heiser, State Forest Manager:** Mr. Heiser requested a time on the agenda to give the annual report for the State forest and to present the County with the annual check for our portion of sales.

Mr. Heiser began by stating the State Forest Program is self supporting through several things, primarily timber harvesting. The gross that is made goes back to the County in which the forest is located. This year is a little better than past years. Mr. Heiser presented the Board with a check in the amount $79,807.00. Basically, with the legislature introduced for next year, he would have been giving the County a check for about one-half this amount. The remaining half would stay with Forestry for recreational activities. The seven (7) year average is about $47,000.00. The purpose of this is to increase recreational activities in the State Forests. The Appomattox/Buckingham Forest has about 20,000 acres with 12 miles of trails. They are looking to build horse trails, bike trails, walking trails and eventually a handicapped trail. They already have several waysides and a couple of lakes which are not utilized to their potential.

He would like for the Board to appoint someone in Appomattox County to serve on a committee along with people from Buckingham and Cumberland to meet and come up with a uniform way to report back to the counties on what is done with the money or what the counties would like to see done with this money.

They do not have ATV trails as they require some law enforcement to oversee the use of these trails. Currently it is against State Law to operate an ATV on State property.

Mr. Carter asked about the person to be suggested for this joint committee.

Ms. Ferguson stated Anne Dixon would be the most likely candidate for this committee.

Mr. Heiser presented the Board with a booklet outlining the State Forest Recreation Plan drawn up on 7/7/07.

Mr. Carter thanked Mr. Heiser for his presentation and the check for $79,807.00.

Mr. Carter returned to the **ADMINISTRATIVE ITEMS:**

3. **Proposed Amendments to the Zoning Ordinance:** Please consider scheduling a public hearing to receive comments on a proposed amendment to the Zoning Ordinance to add Automotive Repair Garages, Mechanical and Body Shops to the list of conditional uses in A-1.

   Also, add to the list of conditional uses in A-1 the Storage of Sewage Sludge.

   Recommendation: Consider scheduling a public hearing for September 17, 2007 at 6:15 p.m. to receive public comments on these proposed changes to the Zoning Ordinance.

Mr. Conrad made a motion, seconded by Mr. Craft, to schedule a public hearing for September 17, 2007 at 6:15 p.m. to receive comments on the proposed changes to the Zoning Ordinance.

Amend section 170-34 Conditional Uses, Agricultural District, A-1

Add *Automotive Repair Garages, Mechanical and Body Shops* to the list of conditional uses.

Add to the list of conditional uses: *Storage of Sewage Sludge, expressly subject to the requirements of the Appomattox County Code, Chapter 140 – Land Applications of Biosolids and §32.1-164.5 et seq. and §62.1-44.19:3 et seq. of the Code of Virginia (1950) as amended, and such other applicable County, Federal, and State statutes, ordinances, and regulations as may be adopted from time to time. However, a conditional use permit shall not be required to begin the storage of sewage sludge on property in an A-1 zoning district as long as such sewage sludge is being stored (a) solely for land application on the farm on which the storage facility is located and (b) for a period no longer than forty-five (45) days.*

Amend Chapter 140, Article 6 – Notice & Requirements for Land Application of Biosolids:

Add Text:

F. *Storage of Sewage Sludge*

a. *The applicant shall store the sewage sludge pursuant to all applicable County, State and Federal statutes, ordinances, and regulations. No person shall apply to the State Health Commissioner or the Virginia Department of Environmental Quality for a permit, variance, or a permit modification authorizing such storage without first complying with all requirements adopted pursuant to §32.1-164.5 et seq. and §62.1-44.19:3 et seq. Code of Virginia, (1950), as amended and such other applicable County, State and Federal statutes, ordinances, and regulations as may be adopted from time to time. In particular, beginning, July 7, 2007, no application for a permit or variance to authorize the storage of sewage sludge in the County shall be complete unless it contains a certification from the Board of Supervisors of Appomattox County that the site for storage of sewage sludge is consistent with all applicable local ordinances. The Board of Supervisors shall confirm or deny consistency within thirty (30) days of receiving a request for certification. If the Board of Supervisors does not so respond, the site shall be deemed consistent.*

b. *Pursuant to the authority of §32.1-164.5 A.1 of the Code of Virginia, (1950), as amended (Cum. Supp. 2007) and pursuant to the findings set forth in Article 1 of this ordinance, the Board of Supervisors of Appomattox County shall, as part of Chapter 170 – Zoning, designate and reasonably restrict the storage of sewage sludge in Appomattox County.*

c. *Notwithstanding any contrary provision of law, the Board of Supervisors of Appomattox County shall require a conditional use permit be obtained to begin the storage of sewage sludge. Storage of sewage sludge may be permitted as a conditional use in an Agricultural District (A-1), subject to the requirements of §32.1-164.5 et seq. and §62.1-44.19:3 et seq., Code of Virginia (1950), as amended other such applicable County, State, and Federal statutes, ordinances, and regulations as may be adopted from time to time.*

d. *A conditional use permit shall not be required to begin the storage of sewage sludge on property in an A-1 zoning district as long as such sewage sludge is being stored (a) solely for land applications on the farm on which the storage facility is located and (b) for a period not longer than forty-five (45) days.*

e. *The requirements of this section and other applicable provisions of Chapter 170 of the Appomattox County Code regarding storage of sewage sludge shall be in addition to the local testing and monitoring ordinance permitted under subsection C. of §62.1-44.19:3 et seq., Code of Virginia, (1950), as amended, as may be adopted by the Board of Supervisors as part of this Chapter from time to time.*

f. *Storage of sewage sludge shall be prohibited in all other zoning districts in Appomattox County.*

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye; (5 aye votes)

4. **Piedmont Court Services Unit Resolution:** As a part of preparing this report, Ms. Ferguson has scheduled meeting with the various organizations involved in this matter and should have information available at the September 17, 2007 meeting.

Ms. Ferguson stated she had already met with one director and has appointments with the other two this week. She will present this information at the September 17, 2007 meeting.

5. **Mutual Aid Agreement with Campbell County:** We have received for the Board's acceptance, the Mutual Aid Agreement between Appomattox and Campbell Counties. As part of our NIMS certification we must enter into the agreements with all adjoining localities. **(See Board File)**

   Recommendation: Accepting the Mutual Aid Agreement with Campbell County.

Mr. Craft made a motion, seconded by Mr. Moore, to accept the Mutual Aid Agreement between Appomattox and Campbell Counties as a part of our NIMS certification after approval by the County Attorney. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Historic Appomattox Railroad Festival Parade:** We have received the application for participation in the Railroad Festival Parade on October 13, 2007. Are you interested in participating in the parade and if so do you wish to ride or walk.
   Recommendation: Is to make a decision about participating in the Railroad Festival Parade.

Mr. Conrad and the rest of the Board asked Mr. Moore to decide if they were going to walk or ride.

The consensus of the Board was to walk in the Historic Appomattox Railroad Festival Parade on October 13, 2007.

7. **Resolutions concerning illegal aliens:** The Culpeper County Administrator is requesting that we adopt a resolution requesting that the General Assembly authorize the appointment of a Commission to study and make recommendations to the General Assembly with regard to legislative solutions to problems caused by illegal aliens in the Commonwealth.

   Recommendation: To consider this request.

Mr. Conrad stated there was an article in the news media recently about Culpeper County and they are quite concerned with the number of illegal aliens that seem to be

turning up in their county. Based upon the fact that this issue is a concern nationwide, it seems the is one thing we know is that there are a lot of expenditures at the local level because of this. This is something he certainly believes that we should get a handle on and he does not endorse accepting anything done illegally. The fact is, if you have done something to break the law, you have to suffer the consequences. He feels we should "round up the troops" and start getting ready to deal with this situation.

Mr. Craft stated we may have some but he does not feel we have any illegals presently. He feels this is a good idea.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to join with Culpeper County and adopt the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF APPOMATTOX COUNTY, VIRGINIA TO JOIN WITH OTHER LOCALITIES OF THE COMMONWEALTH IN FORMULATING RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR LEGISLATIVE SOLUTIONS TO PROBLEMS CAUSED BY ILLEGAL ALIENS

WHEREAS, VA Code §15.2-1700 states that any locality "may provide for the protection of its inhabitants and property and for the preservation of peace and good order therein;" and,

WHEREAS, as demonstrated by the shared concerns of other localities, an increase in illegal aliens may cause (1) an increased burden on County services, (2) increased cost to the County, and (3) increased crime; and,

WHEREAS, the General Assembly has authorized the appointment of a Commission to study and make recommendations to the General Assembly with regard to legislative solutions to problems caused by illegal aliens in the Commonwealth; and,

WHEREAS, the Board of Supervisors of Appomattox County believes that a coalition of localities of the Commonwealth, which must deal with these problems daily, can offer a unique perspective to the Commission and the General Assembly in formulating solutions to these problems.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF APPOMATTOX COUNTY, VIRGINIA:

1. The County of Appomattox stands ready to join with other localities to study and formulate recommendations to the General Assembly and its commission for the resolution of problems caused by illegal aliens within the Commonwealth of Virginia.

2. The County Administrator is hereby directed to identify other localities interested in forming such a coalition.

3. This resolution shall take effect immediately upon its adoption.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

8. **<u>Community College Board of Directors:</u>** We have received a letter of resignation from Mr. Don Jimison from the Central Virginia Community College Board of Directors. Mr. Jimison has spoken with Mr. R. B. "Dick" Carter and he is

willing to fill the remainder of Mr. Jimison's term. The term will expire June 30, 2010.

Recommendation: Is to consider Mr. Carter to fill Mr. Jimison's unexpired term on the Central Virginia Community College Board of Directors.

Mr. Craft stated he did not feel we could find a better candidate for this position than Mr. Carter.

Mr. Craft made a motion, seconded by Mr. Conrad, to appoint Mr. Richard Carter to fill the unexpired term of Don Jimison on the Central Virginia Community College Board of Directors. Term to expire June 30, 2010. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **CONSENT AGENDA:**

9. **Approval of Minutes:** Please approve minutes of the Regular Meeting on August 20th and the Joint Public Hearing on August 20th.

10. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

11. **Sheriff's Department:** Please supplement by consent and appropriate the following for reimbursement from the Department of Justice for overtime.

3102-1002	Overtime (May & June)	$808.88
3102-2001	FICA (May & June)	67.00

12. **Library:** Please supplement by consent and appropriate $602.90 to the following line items for donations received, book replacement fees and book sales:

7301-5401	Office Supplies	$365.10
7301-5411	Books	114.75
7301-5414	Pamplin Depot Library	123.05

LINE ITEM TRANSFER:

13. **Health Department:** Please transfer by consent $2,048.00 from Operating Reserve in the Board of Supervisors budget to 5101-5800 Continuous Charges in the Health Department budget.

Mr. Craft made a motion, seconded by Mr. Moore, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next reviewed the **INFORMATIONAL ITEMS:**

14. **Robert E. Lee Soil and Water Conservations District:** Minutes of the July 19, 2007 meeting of the Board of Directors of the Robert E. Lee Soil and Water Conservation District.

15. **Thank You Note:** Thank you note from Concord Volunteer Fire Department thanking you for your donation.

16. **Employee Certifications:** In order for Appomattox County to continue to be eligible for Homeland Security funding a select group of employees are required to take NIMS training. The following employees have completed the IS-00700, the IS-00100 and the IS-00200 which is what is required for their level of training:

- John Spencer
- Johnnie Roark
- Alice Rockefeller
- Lawrence Hamlett, Jr.

The following individuals are required to take a higher level of training. They have completed the IS-00700, the IS-00100 and the IS-00200 and are scheduled to take the IS-00300 and the IS-00400 (which can only be gotten in the classroom):

- Vicky Phelps
- Bobby Wingfield
- Aileen Ferguson

In the event of any type disaster all of these individuals have vital roles in managing the disaster.

Mr. Carter then called for **SUPERVISOR CONCERNS:**
Mr. Conrad has been contacted regarding Route 604 having blind spots. This will be addressed in the Six-Year Plan.

Mr. Conrad also wished to acknowledge Rick Butler and B. J. Butler with the Forestry Department who are fighting the fires out West.

Mr. Craft stated there was a problem with coyotes in the Piney Ridge and Hixburg areas.

REMINDER OF UPCOMING MEETINGS:

Public Hearing
Monday, September 17, 2007
6:15 P.M.
Community Center

Regular Scheduled Meeting
Monday, September 17, 2007
6:30 P.M.
Community Center

Regular Schedule Meeting
Monday, October 1, 2007
6:30 P.M.
Community Center

At 7:40 p.m. Mr. Craft made a motion, seconded by Mr. Moore, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter

Samuel E. Carter, Chairman

On Monday, September 17, 2007 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Public Hearing at 6:15 p.m. at the Appomattox County Community Center, Community Lane, Appomattox, VA.

PRESENT (Board of Supervisors):
Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission):
George Almond – Chairman
Kevin O'Brien
Calvin Tanner
Steve Conner
Al Sears
Susan Hudson
Barry Morris
Shannon Dews
Bryan Baine (arrived at 6:21 p.m.)

ABSENT (Planning Commission):
Marvin Mitchell

At 6:15 p.m. Mr. Carter opened the Public Hearing and stated the purpose of this public hearing was to consider Proposed Amendments to the Zoning Ordinance and to the Land Applications of Biosolids Ordinance.

He then turned the meeting over to Mr. Johnnie Roark, County Planner.

Mr. Roark stated the first amendment was to **Section 170-34 – Conditional Uses, in the Agricultural District, A-1:**

ADD: *Automotive Repair Garages, Mechanical and Body Shops* to the list of conditional uses.

The origin of this request was through a petition received.

Amend Section 170-34-Conditional Uses, Agricultural District, A-1

Add *Automotive Repair Garages, Mechanical and Body Shops* to the list of conditional uses.

Add to the list of conditional uses: *Storage of Sewage Sludge, expressly subject to the requirements of the Appomattox County Code Chapter 140-Land Application of Biosolids and §32.1-164.5 et seq. and §62.1-44.19:3 et seq. of the Code of Virginia (1950) as amended, and such other applicable County, Federal , and State statutes, ordinances, and regulations as may be adopted from time to time. However, a conditional use permit shall not be required to begin the storage of sewage sludge on property in an A-1 zoning district as long as such sewage sludge is being stored (a) solely for land application on the farm on which the storage facility is located and (b) for a period no longer than forty-five (45) days.*

Below you will find a proposed amendment to the Land Application of Biosolids Ordinance. The amendment is in conjunction with the proposed amendment to the zoning ordinance and is a result of legislation passed by the General Assembly. The amendment is as follows: (amended text is in *italics*)

The origin of this request was through an act by the General Assembly this past year enabling the localities to have some minor local control over these activities and this is to prevent the farmers from having to get a Conditional Use Permit if they are going to a apply biosolids to their own property within forty-five days. This deals with Nutra-Blend coming in to a farm and storing loads and loads of sludge to be placed elsewhere in the County. This type of storage will need to have a Conditional Use Permit.

Amend Chapter 140, Article 6 Notice & Requirements for Land Application of Biosolids

Add Text:

F. Storage of Sewage Sludge

a. The applicant shall store the sewage sludge pursuant to all applicable County, State, and Federal statutes, ordinances, and regulations. No person shall apply to the State Health Commissioner or the Virginia Department of Environmental Quality for a permit, variance, or a permit modification authorizing such storage without first complying with all requirements adopted pursuant to §32.1-164.5 et seq. and §62.1-44.19:3 et seq., Code of Virginia, (1950), as amended and such other applicable County, State, and Federal statutes, ordinances, and regulations as may be adopted from time to time. In particular, beginning July 1, 2007, no application for a permit or variance to authorize the storage of sewage sludge in the County shall be complete unless it contains a certification from the Board of Supervisors of Appomattox County that the site for storage of

sewage sludge is consistent with all applicable local ordinances. The Board of Supervisors shall confirm or deny consistency within thirty (30) days of receiving a request for certification. If the Board of Supervisors does not so respond, the site shall be deemed consistent.

b. *Pursuant to the authority of §32.1-164.5 A.1 of the Code of Virginia, (1950), as amended (Cum. Supp. 2007) and pursuant to the findings set forth in Article 1 of this ordinance, the Board of Supervisors of Appomattox County shall, as part of Chapter 170 – Zoning, designate and reasonably restrict the storage of sewage sludge in Appomattox County.*

c. *Notwithstanding any contrary provision of law, the Board of Supervisors of Appomattox County shall require a conditional use permit be obtained to begin the storage of sewage sludge. Storage of sewage sludge may be permitted as a conditional use in an Agricultural District (A-1), subject to the requirements of §32.1-164.5 et seq. and §62.1-44.19:3 et seq., Code of Virginia, (1950), as amended and other such applicable County, State, and Federal statutes, ordinances, and regulations as may be adopted from time to time.*

d. *A conditional use permit shall not be required to begin the storage of sewage sludge on property in an A-1 zoning district as long as such sewage sludge is being stored (a) solely for land application on the farm on which the storage facility is located and (b) for a period no longer than forty-five (45) days.*

e. *The requirements of this section and of other applicable provisions of Chapter 170 of the Appomattox County regarding storage of sewage sludge shall be in addition to the local testing and monitoring ordinances permitted under subsection C. of §62.1-44.19:3 et seq., Code of Virginia, (1950), as amended, as may be adopted by the Board of Supervisors as part of this Chapter from time to time.*

f. *Storage of sewage sludge shall be prohibited in all other zoning districts in Appomattox County.*

Mr. Carter asked "Will this 45 day period of time be monitored and by whom"?

Mr. Craft wanted to know if we had a way of finding out before hand when a farmer will be storing sludge.

Mr. Roark explained that if we receive a complaint from a neighbor, we would go out and investigate.

Mr. Overstreet explained why we are doing the addition to the ordinance. He does not want the citizens to think we are doing more than what we are actually doing with this ordinance. At first, when you look at this you wonder why we don't have the authority

to do this in the first place, because it is not a permitted or conditional use in A-1. Why couldn't we say "CAN'T GO IN". After talking with some of the other attorneys in counties that have adopted this type of ordinance and he thinks what we are fearful of is that in the suit we had several years ago in Federal court, Judge Moon said that we were pre-empted by the State, so it gave us very little leeway to do anything regarding sludge. He thinks what everyone is fearful of is if the State now says we are granting you authority to do something, we can argue that we have always had that authority, but then the Court could say no, the State pre-empted you. This is why we are going through this exercise because the State is saying in certain statutes that we can do this. He doesn't want to have an opinion that we already have authority to do this and us not do this and the Judge later tells him, "you didn't have that authority". By adding this as a conditional use in A-1, we do have some control.

Mr. Conner stated this is only for storage of sludge, not for the application. Mr. Overstreet stated – that is correct.

After a brief discussion, Mr. Roark called for comments for and/or against this ordinance.

Hearing none, Mr. Carter closed the public hearing.

Samuel E. Carter, Chairman

On Monday, September 17, 2007 the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson - County Administrator
John G. Overstreet – County Attorney
John K. Spencer – Assistant County Administrator
Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and gave the invocation. Mr. Carter then invited everyone present to join in the Pledge of Allegiance to the American flag.

Mr. Carter then called for the first item on the agenda: **SETTING OF THE AGENDA:**

There were no changes to the agenda at this time.

Mr. Carter then called for **CITIZEN PUBLIC COMMENTS PERIOD:** This time is provided by the Board to allow citizens to appear and to discuss issues that are of importance or concern to the citizen.

There was no one present that wished to speak.

Mr. Carter then called for action on the **ADMINISTRATIVE ITEMS:**

1. **Planning Commission Recommendations: CUP07006 – James W. Kennon Auto Sales** for a Conditional Use Permit for property located on the south side of Richmond Highway between Phoebe Pond Road and Stratford Road. The proposed use for the property is automotive sales and service.

   At the Board of Supervisors meeting held on September 4, 2007 action on this petition was tabled and staff was requested to get with VDOT and find out what they would approve as far as a buffer of trees along Phoebe Pond road. The Board also requested that staff also identify the area that they feel should be blacktopped.

   Mr. Kennon has provided written comments concerning the conditions proposed by the Board at the meeting of September 4, 2007.

   Also, staff has been to the site and met with VDOT. Staff will have recommendations at meeting.

   Recommendation: Staff recommends considering the comments from Mr. Kennon and Johnnie Roark and then making a decision o CUP07006.

Mr. Roark provided a packet of Alternatives for Approval of Conditional Use Permit.
Alternative #1. The Board of Supervisors may follow the recommendation of the Planning Commission and approve the conditional use permit with the following condition:

(1) A buffer shall be placed along Phoebe Pond Road starting from the entrance and heading west to a point parallel to the rear of the building. The buffer shall consist of Leyland Cypress evergreen trees planted 20 foot on center.

Alternative #2. The Board of Supervisors may approve the conditional use permit with the following conditions:

(1) A buffer shall be placed along Phoebe Pond Road from the western corner of the southeastern corner. The buffer shall contain Leyland Cypress trees planted every fifteen (15) feet on center (approximately 56 trees). Planting shall be a minimum of ten (10) feet tall at the time of planting. Required plantings shall remain alive and in good condition in perpetuity.
(2) All areas to be used for the display and/or storage of automobiles and all customer parking areas shall be paved with an asphalt surface.

Alternative #3: The Board of Supervisors may approve the conditional use permit with the following conditions:

(1) From a point near the southeast corner along Phoebe Pond Road and running southwesterly along the property line for its entirety, a 25-foot buffer shall be installed. Contained in the buffer area will be Leyland Cypress trees planted twenty (20) feet on center (approximately 43 trees). Plantings shall be a minimum of five (5) feet tall at the time of planting. Required plantings shall remain alive and in good condition in perpetuity. Planting should occur during an optimal planting season. No buildings, structures or impervious surface of any type is permitted in the buffer area, other than what is necessary to achieve a satisfactory entrance to Phoebe Pond Road. Additionally, the display of automobiles in the buffer zone is prohibited.

(2) All area to be used for the display of and/or storage of automobiles and all Customer parking areas shall be paved within one (1) year of the issuance of the certificate of occupancy. The paved surface may be either asphalt or surface treatment and shall be determined at the discretion of the owner.

Alternative #4: The Board of Supervisors may approve the conditional use permit with the following conditions:

(1) From a point near the southeast corner along Phoebe Pond road and running southwesterly along the property line for its entirety, a 25-foot buffer shall be installed. Contained in the buffer area will be large deciduous trees planted fifty (50) feet on center (approximately 12 trees). Plantings shall be a minimum of five (5) feet tall at the time of planting. Additionally, a mixture of six (6) small evergreen and small deciduous shrubs shall be planted in creative groupings around or near each tree (approximately 72 shrubs). Required plantings shall remain alive and in good condition in perpetuity. Planting should occur during an optimal planting season. No buildings, structures or impervious surface of any type is permitted in the buffer area, other than what is necessary to achieve a satisfactory entrance to Phoebe Pond Road. Additionally, the display of automobiles in the buffer area is prohibited.

(2) All areas to be used for the display of and/or storage of automobiles and all customer parking areas shall be paved within one (1) year of the issuance of the certificate of occupancy. The paved surface may be either asphalt or surface treatment and shall be determined at the discretion of the owner.

Mr. Carter asked about the trees being planted in the optimal season – if they do not survive, are they to be replaced. Also, none of the parking spaces along the buffer zone, are to be utilized until the trees are actively growing and satisfy the conditions as stated.

Mr. Roark stated it would be his responsibility to see that these conditions are met.

Mr. Craft stated you may see that the shorter trees will work better along the bank, if the bank remains.

Mr. Roark stated he did not know at this time if the bank would be graded or not.

Mr. Armbrust thinks we need to be fair to both sides. His thoughts are if grading/lowering of this bank is necessary, it needs to go back to the Planning Commission.

Mr. Conrad comments that the cypress trees were specifically based on the research and design to impede the view of the residents.

Mr. Roark responded that the cypress trees are traditionally buffer material recommended by people who design this type of barrier in residential areas. Also alternative #3 and #4, having a 25 ft. buffer zone, reduces the number of spaces for display and parking of automobiles.

There was a lot of discussion on just where the trees would be planted, private property or state right-of-way.

Ms. Ferguson stated that the Planning Commission recommended Alternative #1. Alternative #2 is what the Board talked about at the last meeting. Alternative #3 incorporates what Mr. Kennon had commented about the height of the trees, etc. Alternative #4 is a concept that Mr. Roark came up with considering the location of the property.

Mr. Carter stated the Board needs to determine if they want to accept Alternative #3 or Alternative #4.

After further discussion, Mr. Craft made a motion to refer this petition back to the Planning Commission for further recommendations. Motion died due to the lack of a second.

Mr. Armbrust made a motion, seconded by Mr. Craft, to refer this petition back to the Planning Commission with the Board recommendations. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 ayes votes)

Mr. Carter stated we would enter into a recess to hold a Public Hearing with the Appomattox County Planning Commission and the Appomattox Town Council.

At 7:15 p.m. Mr. Carter re-convened the Board of Supervisors meeting and called Mr. Lyndon Bryant to address the Board.

Mr. Landon Bryant: Mr. Bryant has requested time to discuss the possibility of the Board moving the container site at Vera either to another location or further back on the property adjoining this site.

Mr. Bryant stated that his letter pretty much explains his problem. They have problems with the noise, dust and animals around the dumpster site. They must also contend with the odor especially in the hot weather. One dumpster is only 56 feet from his son's house and the smell is awful. He does not feel like anyone should have to live with these conditions. He has been complaining about these conditions to several

different County Administrators over the years and nothing has been done. He has talked with Mr. Abbitt, who indicated he would be willing to sell four (4) acres joining the site in order to move the dumpsters back further. Something needs to be done to remedy this situation.

Ms. Ferguson will look into this.

Mr. Carter then returned to the **ADMINISTRATIVE ITEMS:**

2. **Hazardous Duty Employees Benefit Changes:**
During the last legislative session the General Assembly passed an enhancement option to the VRS package for hazardous duty employees. This change would allow local governments to adopt a resolution incorporating this enhancement into their employee benefits package. I have had several police officers ask me about this benefit, therefore, I am bringing it before you for consideration. This option would cost the locality approximately $3,000.00 annually to provide this additional benefit to law enforcement only.

Recommendation: Staff recommends considering the request for the additional retirement benefit for law enforcement.

Mr. Craft had a question regarding the statement that "the added rate would apply to your entire covered payroll, not just your hazardous duty payroll." Why would we have to pay this for other employees?

Ms. Ferguson answered that it has always been that way. We are not paying it for other people, it is just that the rate is assessed on your whole payroll. When we went into LEO it worked the same way. They could probably break it out and each locality would have two (2) rates, but instead, they just apply it to the whole payroll. This is just a simpler process.

The Compensation Board will reimburse the Sheriff's part of this but not any deputy positions.

After some discussion, Mr. Craft made a motion, seconded by Mr. Armbrust, to adopt the following resolution, effective November 1, 2007.

Pol. Sub. – Section 138 Covered Employees
Retirement Multiplier of 1.85%

WHEREAS, by resolution legally adopted and approved by the Appomattox County Board of Supervisors, a political subdivision, participates in the Virginia Retirement System under §51.1-130 of the Code of Virginia, as amended; and

WHEREAS, by resolution legally adopted and approved the Appomattox County Board of Supervisors has elected to provide the enhanced benefits described in §51.1-138, subsection B to selected public safety employee groups, such benefits being referred to collectively as "Section 138 Coverage", and

WHEREAS, the Virginia General Assembly passed legislation effective July 1, 2007, allowing Appomattox County Board of Supervisors to elect to provide for its employees with Section 138

Coverage a retirement allowance equal to the amount of creditable service multiplied by 1.85 percent of average final compensation as provided in clause (ii) in subsection A (1) of §51.1-206 (the "1.85 Multiplier"); and

WHEREAS, Appomattox County Board of Supervisors desires to make this irrevocable election and provide the 1.85 Multiplier to its employees that now have, or may in the future be given, Section 138 Coverage;

NOW, THEREFORE, IT IS

RESOLVED, that Appomattox County elects to establish the 1.85 Multiplier for all employees who are now, or who may be in the future, provided Section 138 Coverage; and it is further

RESOLVED, that Appomattox County Board of Supervisors agrees to pay the employer cost for providing the 1.85 Multiplier to all employees who are now, or who may be in the future, provided Section 138 Coverage, pursuant to this irrevocable election; and it is further

RESOLVED that Aileen T. Ferguson, Clerk, is authorized and directed in the name of Appomattox County Board of Supervisors to execute any required contract to carry out this irrevocable election, and to do any other thing, or things, incident and necessary in the lawful conclusion of this matter. The seal of Appomattox County Board of Supervisors shall be affixed to any such contract and attested by the Clerk, and the Treasurer of Appomattox County is authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as may be required to be paid by Appomattox County or its employees for this purpose.
ROLL CALL VOTE: Mr. Armbrust , aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Amendments to the Waste Separation Policy:** T. J. Knight, Recycle Coordinator for Appomattox County, is requesting your approval for proposed changes to the waste separation policy for the County.

   Recommendation: Staff recommends approving the proposed changes to the Waste Separation Policy for the County.

Ms. Ferguson stated this was a part of the Recycling Program and we would be doing more and more of this, once we go to the manned sites.

Mr. Conrad stated that with the emphasis being put on recycling these proposed changes are a step in that direction.

Mr. Conrad made a motion, seconded by Mr. Moore to approve the proposed changes to the Waste Separation Policy.

WASTE SEPARATION REQUIREMENTS

Anyone, which includes citizens or businesses utilizing dump trucks or trailers, will be required to dump their loads and separate the contents of the load and dispose of the waste in the proper locations.

Waste will not be accepted for disposal that is not separated.

All waste is required to be separated into the following categories in order to facilitate disposal:

<u>The following items may be mixed together:</u>

Bags of household waste
Floor coverings
Furniture
Household Items
Insulation
Miscellaneous items not considered recyclable
Painted Wood
Paneling
Plastic
Pressed wood
Sheetrock
Shingles

<u>RECYCABLE ITMES SHOULD BE SEPARATED INTO THE FOLLOWING CAREGORIES:</u>

Aluminum
**Batteries – amended September 2007*
Cardboard
**Computers, and all accessories – amended September 2007*
Mixed metals, including air conditioners, appliances, lawnmowers etc.
Mixed paper
Pallets
Rubble including brick, cinder blocks concrete
**Textiles – amended September 2007*
Tires
Wood including unpainted wood and brush/yard waste

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **<u>Community Corrections Vendor:</u>** For the past several months you have been tabling this decision in order to give staff time to meet with the two agencies that provide these services in our area and also to form a recommendation for your approval. Ms. Ferguson met with representatives for all of the agencies involved and also with Judge Woodson and Judge Dunkam. The Judges have requested that she give them some time to see if one of the programs would agree to provide pre-trial services in order that the two providers would be equally competitive and capable of providing all the services that the County will need.

   <u>Recommendation:</u> Consider the request made by the Judges and table this matter until the mid-month meeting in October.

Ms. Ferguson has spoken with Tony Cassell, the Director with DCJS who is over the grant process that actually funds the two programs and he has told her today that even though we are already a part of the Regional Jail because our facility is not actually built

and we are not housing our prisoners in a regional facility, there is no need to make this decision immediately. We do not need to make this decision on either program at this time. Once our Community Corrections Plan is approve by the Department of Corrections, then we will need funding from the State to be applied and approved for Appomattox County and Amherst County and at that point we will need to know who we would like to go with for these services. We might have as much as two years before we actually have to make any changes on this subject. Mr. Cassell stated he would be more than happy to meet with the Board and basically go over what these programs do and offer his expertise in that area. There is no rush to make this decision.

Mr. Craft made a motion, seconded by Mr. Conrad to table this item and put it on the agenda for the October 1, 2007 meeting. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **Fireworks Permit for the Historic Appomattox Railroad Festival:** The Appomattox Railroad Festival Committee is requesting approval of a Fireworks Permit for Saturday, October 13, 2007 in Cole's field across from the Appomattox County High School.

   Recommendation: Staff recommends approving the Fireworks Permit.

Mr. Craft stated this has been held there before. He has no problems with approving this request.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to approve the Fireworks Permit for the Historic Appomattox Railroad Festival to hold their annual Fireworks display at Cole's Farm across from the Appomattox County High School on Saturday, October 13, 2007. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. **Resolution Establishing Personal Property Tax Relief:** The Commissioner of Revenue and the Treasurer have provided the annual resolution setting the Personal Property Tax Relief Rate as established by the Code.

   Recommendation: Staff recommends adopting the resolution as presented.

Mr. Overstreet has reviewed this resolution and we just need to follow the usual format.

Mr. Armbrust made a motion, seconded by Mr. Conrad, to adopt the following resolution establishing the Personal Property Tax Relief Rate:

RESOLUTUION

BE IT RESOLVED THAT in accordance with the requirements set forth in section 58.1-39524 (C) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in item 503.E (Personal Property Tax Relief Program) of Chapter 951 if the 2005 Acts of Assembly any qualifying vehicle situsted within the County commencing January 1, 2007, shall receive personal property tax relief in the following manner:

- Personal use vehicle at $1,000 (assessed value of $500) or less will be eligible for 100% tax relief;

- Personal use vehicles valued at $1,001 to $20,000 (assessed value of $501 - $10,000) will be eligible for 48.00% of tax relief;

- Personal use vehicles valued at $20,001 (assessed value of $10,001) or more shall only receive 48.00% tax relief on the first $20,000 of value; and

- All other vehicles which do not meet the definition of "qualifying" (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.

- In accordance with item 503.D1, the entitlement to personal property tax relief to qualifying vehicles for tax year 2005 and all prior tax years shall expire on September 1, 2006. Supplemental assessments for tax years 2005 and prior that are made on or after September 1, 2006 shall be deemed "non-qualifying" for purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the tax assessable.

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7. **Petition on Container Site on Route 627:** Supervisor Craft has provided petitions with signatures requesting that the Board of Supervisors not close the container site on Route 627.

   Recommendation: Staff recommends reviewing petitions.

Mr. Craft has talked with the people who started this petition. The signatures are from people who usually use this container site. He took the map we used to decide what we were going to do. It showed how far people in Promise Land, Spring Mills have to drive as well as those from Bent Creek and Oakville, the people around Holiday Lake and he thinks it satisfied them somewhat. They did ask why you picked Route 620 over them. He told them it was based on the numbers.

Mr. Carter next presented the **CONSENT AGENDA:**

8. **Approval of Minutes:** Please approve minutes of Regular Meeting on September 4, 2007.
9. **Approval of Bills:** Please approve bills for payment as presented.

Mr. Conrad made a motion, seconded by Mr. Moore, to approve the **CONSENT AGENDA** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then reviewed the **INFORMATIONAL ITEMS:**

10. **Natural Resources Conservative Service:** Please find fact sheet outlining the current process for updating watershed operation and maintenance agreements between the Natural Resources Conservation Service and the Sponsors.

11. **James River Advisory Council:** James B. Donati, Jr., Co-Chair of the James River Advisory Council is providing information related to the most recent clean-up day held Saturday, June 9, 2007.

12. **Employee Certification:** In order for Appomattox County to continue to be eligible for Homeland Security funding a select group of employees are required to take NIMS training. The following employee has completed the IS-00700, the IS-00100 and the IS-00200 which is what is required for their level of training.
    - Anne H. Dixon

    In the event of any type disaster these individuals have vital roles in managing the disaster.

13. **Appomattox County Public Schools Monthly Financial Report:** Monthly financial report for August 2007 for the public school system.

14. **Disaster Designation:** Information concerning the resolution that was adopted requesting that Appomattox County be designated a disaster area due to severe drought conditions.

15. **Departmental Reports:**
    - Animal Control
    - Assistant County Administrator
    - Appomattox Parks, Recreation & Tourism
    - Appomattox County Victim/Witness Program
    - Office of Building and Housing

Mr. Carter asked if Ms. Scott had submitted a report for this month.

Ms. Ferguson stated she thought Ms. Scott was out around that time.

Mr. Conrad thinks we should be hearing from the Disaster Resolution shortly.

16. **Supervisor Concerns:**

Mr. Conrad: He has received a report of someone selling cars in a residential area. He is going to check on this and report back to the Board.

At 7:30 p.m. **Ms. Kelly Hitchcock** arrived and Mr. Carter asked her to address the Board regarding an update on the Appomattox Heritage Trail project.

Ms. Hitchcock presented a handout map of the proposed trails. They have enlisted the pro bono services of a firm out of Richmond to design these trails. The first step is to develop a trail through the Industrial Park. She reported that they attended the EDA meeting on September 13, 2007 and they approved the availability of the trail to go through their property. They are proposing to have a Community meeting at the Appomattox Town Office on October 11, 2007 at 6:30 p.m. The goal is to submit the Safety Loop Application by November, 2007.

Mr. Armburst asked about the surface treatment of the trails.

Ms. Hitchcock asked if he was referring to crush run, paved, etc. They will be working on this over the next few months trying to decide what is best. These trails will be ADA accessible but these details will have to be worked out. There are a lot of pieces yet to be determined.

Mr. Carter thanked Ms. Hitchcock for her report.

Mr. Carter then called Ms. Walton and Mr. Weakley to address the Board.

Ms. Susan Walton and Shane Weakley, Appomattox Rescue Squad: Ms. Walton and Mr. Weakley have requested a time on the agenda to request that you schedule a public hearing to adopt a proposed ordinance officially allowing the rescue squad to recover their cost for services. They would like to have you adopt this ordinance as soon as possible so if you could schedule the public hearing for the first meeting in October they would be grateful.

Ms. Walton stated they have been working with Ms. Ferguson and Mr. Carter in some committee meetings. The number one priority from these meetings is to start charging for services. What they are asking for is basically a formality stating the Board is giving them permission to proceed with their plans.

Ms. Ferguson stated that Gladstone Rescue Squad had not been included in this ordinance and she would be reviewing this document and making additions as necessary.

A public hearing is scheduled for this Ordinance on October 1, 2007 at 6:15 p.m. at the Community Center.

17. Closed Session: A closed session is required in accordance with §2.2-3711.A.1 and §2.2-3711.A.3 to discuss real estate acquisition and personnel matters respectively.

At 7:50 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to enter into a closed session as per the Code of Virginia for the purpose of discussing a real estate acquisition and personnel matters respectively. Section 2.2-3711.A.1 – Assignment, appointment, promotions, performance, demotions, salaries, disciplining or resignations of specific public officers, appointees or employees of any public body and section 2.2-3711.A.3 – Discussion or consideration of the acquisition of real estate for public purpose where discussion in open meeting would adversely affect the bargaining position or negotiation strategies of the public body. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

At 8:05 p.m. Mr. Moore made a motion, seconded by Mr. Armbrust, to return to regular session and adopt the following:

WHEREAS, *this Board convened in a closed meeting under § 2.2-3711.A.1 and §2.2-3711.A.3– of the Code of Virginia, for the purpose of discussing a real estate acquisition and personnel matters respectively.*

AND WHEREAS, *no member has made a statement that there was a departure from the lawful purpose of such closed meeting or the matters identified in the motion were discussed.*

NOW BE IT CERTIFIED, *that only those matters as were identified in the motion were heard, discussed or considered in the meeting. I Call the Question:*
ROLL CALL VOTES: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter reminded everyone of the upcoming meetings.

UPCOMING MEETINGS

Regular Meeting
Monday, October 1, 2007
6:30 p.m.
Community Center

Regular Meeting
Monday, October 15, 2007
6:30 p.m.
Community Center

At 8:07 p.m. Mr. Conrad made a motion, seconded by Mr. Armbrust to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter

Samuel E. Carter, Chairman

At 7:00 p.m. on Monday, September 17, 2007 the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox Town Council held a public hearing at the Appomattox Community Center, located on Community Lane, Appomattox, Va.

PRESENT (Board of Supervisors)
Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

PRESENT (Planning Commission)
George Almond – Chairman
Kevin O'Brien
Calvin Tanner
Steve Conner
Al Sears
Susan Hudson
Barry Morris
Shannon Dews
Bryan Baine

ABSENT (Planning Commission)
Marvin Mitchell

PRESENT (Appomattox Town Council)
Lewis McDearmon
Steve Lawson
Jennifer Scruggs
John Williams
Joyce Bennett

ABSENT (Appomattox Town Council)
John Wilson – Mayor
Jimmy Mayberry
Frank Wright – Town Attorney

ALSO Present:
Aileen T. Ferguson – County Administrator
John K. Spencer, Jr. – Assistant County Administrator
John G. Overstreet – County Attorney
Johnnie Roark – County Planner
David T. Garrett – Town Manager

At 7:00 p.m. Mr. Carter opened the public hearing and read the following statement:
This Public Hearing provides property owners the opportunity to present zoning petitions and concerned citizens the chance to speak for or against the petitions before the

Appomattox County Planning Commission and Board of Supervisors. Please note that the public hearing is not the appropriate forum to engage in discussion of the petitions. Discussion will take place during the Planning Commission meeting to be held immediately following the Public Hearing. We will begin a hearing of each petition with comments by the petitioner, followed by comments from individuals to speak for and /or against the petition. Each speaker will be allowed five (5) minutes whether speaking as an individual or as representative of a group or organization. However, should the number of speaker registered to speak on any item exceed ten (10), the time will be adjusted to three (3) minutes for each speaker. As you approach the microphone, please state your name and address for the record.

Mr. Carter then turned the meeting over to Mr. Roark.

Mr. Roark gave a short report on **CUP07007 – Conditional Use Permit – Brad Kidd.** Request to relocate an existing business within the Town of Appomattox classified as an automotive repair garage, mechanical and body shop to a location behind his existing home on Mountain Cut Road (Route 695). Mr. Kidd's property is identified as 77(A)22A, approximately 13 acres and recently did a boundary line adjustment with 2.5 acres for the use of commercial purposes. This property is zoned A-1 Agricultural located on Mountain Cut Road (Route 695) near the intersection of Trent's Hatchery Road (Route 635).

Mr. Kidd would like to build a new 6,000 square foot building that will house the shop and small office area. The shop will be located behind the existing dwelling of the owner and is separated from the surrounding area by a buffer of trees. The entrance to the new building would be from Mountain Cut Road. VDOT has potentially approved this entrance. The parking area is proposed to be gravel. Any storage of vehicles would be to the side or rear of the building and not visible from the road or adjourning properties. Mr. Percy Kidd owns adjourning property which was conditionally zoned in 1990 for a paint and body shop.

Mr. Kidd stated he would be willing to do anything that is needed.

Mr. Roark asked if anyone wished to speak for the petition.

Hearing none, he asked if anyone wished to speak against the petition.

Hearing none, Mr. Roark turned the meeting back to Mr. Carter.

At 7:10 Mr. Carter closed the public hearing.

Samuel E. Carter

Samuel E. Carter, Chairman

On Monday, October 1, 2007, the Appomattox County Board of Supervisors held a Public Hearing at 6:15 p.m. at the Appomattox County Community Center, located on Community Lane, Appomattox, Va. to receive comments on an Ordinance to Establish a County EMS/Rescue Division, provide for Mutual Aid and Provide for Revenue Recovery as authorized by Chapter II, Title 27 of the Code of Virginia, Section 32.1-111.14 and Section 15.2-955.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet –County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 6:15 p.m. Mr. Carter opened the meeting and stated the purpose of the Public Hearing was receive comments on the following proposed Ordinance:

AN ORDINANCE TO ESTABLISH A COUNTY EMS/RESCUE DIVISION, PROVIDE FOR MUTUAL AID AND PROVIDE FOR REVENUE RECOVERY AS AUTHORIZED BY CHAPTER II TITLE 27 OF THE CODE OF VIRGINIA SECTION 32.1-111.14 AND SECTION 15.2-955.

CHAPTER 21 ARTICLE III

Section 21.6 Establishment of a County EMS/Rescue Division.

a) In order to assure the adequate and continuing emergency services to the citizens of Appomattox County and to preserve, protect and promote the public health, safety, and general welfare, and in order to provide all emergency services personnel with the full benefit of privileges, rights and remedies available to them under law, the Board of Supervisors of Appomattox County hereby establishes a County EMS/Rescue Division in order to mitigate the effects of accidents, disasters and other medical and rescue oriented emergency situations.

b) The following organizations are hereby officially recognized as entities of the Appomattox County Department of Public Safety, EMS/Rescue Division and are hereby granted permits to operate emergency medical service vehicles in Appomattox County: Appomattox County Rescue Squad, Inc., Pamplin Volunteer Fire and EMS, Inc., Concord Volunteer Rescue Squad and Gladstone Fire/EMS. Volunteer agencies identified in this subsection will maintain separate licensure with the Virginia Department of Health – Division

of Emergency Medical Services and maintain oversight of their respective volunteer agencies unless a separate agreement is entered into with Appomattox County as agreed to by both parties. Included in this provision is the responsibility to maintain mutual aid agreements with bordering agencies.

c) The following organizations are hereby officially recognized as private commercial or not-for-profit entities that are authorized to provide EMS services within Appomattox County and are granted permits to operate emergency medical service vehicles, including but not limited to air medical evacuation (medevac) services utilizing helicopters equipped for such use, in Appomattox County and charge a fee for the service they provide to patients: any private service provider with whom Appomattox County Volunteer Rescue Squad, Inc. or Pamplin Volunteer Fire and EMS, Inc., contracts, Centra Health (Medflight helicopter), University of Virginia (Pegasus helicopter) and Carilion Health System (Lifeguard helicopter). Furthermore, these private commercial or not-for-profit entities, except for Appomattox County Rescue Squad and Pamplin Volunteer Fire and EMS, Inc., are exempt from the remainder of the provisions in this article.

d) Each of the organizations mentioned in section 21.6(b) shall be assigned response areas that provide the best services to the citizens of the County. These response areas shall be maintained in writing by the Appomattox County Department of Public Safety, a copy of which will be posted in the communications center and available to the public. The Department of Public Safety may amend or change these boundaries from time to time in order to provide the best services available.

e) For purposes of this Article, the following definitions shall apply, unless the context requires a different meaning:

"Emergency medical services personnel" means persons responsible for the direct provision of emergency medical or rescue services in a given medical emergency or emergency rescue including all persons who could be described as attendants, attendants-in-charge, or operators.

"Emergency medical services vehicle" means any vehicle, vessel, aircraft or ambulance that holds a valid emergency medical services permit issued by the State Office of Emergency Medical Services that is equipped, maintained or operated to provide emergency medical care or transportation of patients who are sick, injured, wounded, or otherwise incapacitated or helpless.

"EMS squad" or "EMS department" means a volunteer emergency medical services (EMS) organization organized pursuant to VA. CODE ANN. Section 27-8 in any town, city or county of the Commonwealth, with the approval of the governing body thereof consisting of emergency medical services personnel.

For state law authority, see VA. CODE ANN. Section 32.1-111.14 (Cum. Supp. 2006). See AlsoVA. CODE ANN. Section 15.2-955 (Cum Supp. 2006), Section 27-8.1 (Repl. Vol. 2004), And section 27-23.6 (Repl. Vol. 2004).

Section 21.7.Entities of County EMS/Rescue Division responsible to the Department of Public Safety.

a) Each of the organizations and groups mentioned in subsection (b) and (c) of 21.6 shall coordinate their operations and activities with the Appomattox County Department of Public Safety and will carry out their assigned tasks to the best of their ability.

b) Each EMS/rescue organization mentioned in 21.6(b) shall appoint a captain who shall be responsible for the overall direction and control of EMS/rescue service activities within his organization's respective primary response area. Additionally, the captain shall insure that his organization complies with all of the provisions of applicable laws, ordinances, and standard operation procedures and shall coordinate his organization's operations and activities with the Director of Public Safety or his designee.

For state law authority, see VA. CODE ANN. Section 32.1-111.14 (Cum. Supp. 2006). See also VA. CODE ANN. Section 27-23.6(Repl. Vol. 2004).

Section 21.8.Responsibility and authority.

a) All officially recognized members of the organizations and groups mentioned above shall perform their respective duties, as outlined in standard operating procedures and applicable laws and ordinances, to the best of their ability.

b) All officially recognized members of the organizations and groups mentioned above will be subject to the procedures and practices established by the Appomattox County Board of Supervisors or its designee.

c) While performing in his official capacity, each of the members of the organizations and groups mentioned above shall have the authority to carry out his respective assignments as provided for in applicable laws, ordinances and standard operating procedures.

For state law authority, see VA. CODE ANN. Section 27-23.6 (Repl. Vol. 2004) and Section 32.1-111.14 (Cum. Supp. 2006).

Section 21.9.EMS/Rescue personnel afforded certain privileges, rights and remedies.

When providing services in their official capacity and acting within the guidelines of the Department of Public Safety, all officially recognized members of the organizations and groups mentioned above shall be afforded all of the privileges, rights and remedies available to them under law.

For state law authority, see VA. CODE ANN. Section 18.2-414.1 (Repl. Vol. 2004). See also VA. CODE ANN. Section 27-15.1 (Repl. Vol. 2004) and section 27-23.9 (Repl. Vol. 2004).

Section 21.10.Service Fee for ambulance transport.

a) Service fee for emergency ambulance transport.

(1) Pursuant to VA. CODE ANN. Section 32.1-111.14 (Cum. Supp. 2006), as amended, it is herby determined and declared that the exercise of the powers and duties set forth herein is necessary to assure the provision of adequate and continuing emergency services and to preserve, protect and promote the public health, safety and general welfare.

(2) Definitions. The following definitions shall apply to ambulance charges:

"Basic life support (BLS)": Services shall be medical treatment or procedures provided to a patient as defined by the National Emergency Medical Services (EMS) Educational and Practice Blueprint for the Emergency Medical Technician (EMT)-Basic.

"Advanced life support level 1 (ALS-1)": Services shall be medical treatment or procedures provided to a patient beyond the scope of an EMT-Basic as defined by the National EMS Education and Practice Blueprint.

"Advanced life support level 2 (ALS-2)": Services shall be defined as advanced life support (ALS) services provided to a patient including any of the following medical procedures: (i) manual defibrillation/cardio version, (ii) endotrachael intubation, (iii) central venous line, (iv) cardiac pacing, (v) chest decompression, (vi) surgical airway or (vii) intraosseous line, and the administration of three (3) or more medications.

"Ground transport mileage (GTM)": Shall be assessed in actual road miles from the location of the incident scene, or center point of a rescue demand zone where an incident scene or address is located, to a hospital or other facility where a patient is transported.

(3) The schedule of rates for emergency ambulance transport services by the Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. shall be based on a schedule as may be set by resolution by the membership of the Appomattox County Rescue Squad, Inc. and the membership of the Pamplin Volunteer Fire and EMS, Inc. from time to time.

(4) The Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. shall adopt appropriate rules and policies for the administration of the charges imposed by this section, including and not limited to, payment standards for those persons who demonstrate economic hardship, as established by this ordinance.

(b) Billing.

(1) Appomattox County Rescue Squad, Inc and Pamplin Volunteer Fire and EMS, Inc. or its agent shall generate a bill for ambulance transports whose point of origin is within the boundaries of Appomattox County performed by all ambulances operated by an agency licensed and chartered in Appomattox County by the Commonwealth of Virginia and mentioned in section 21.6(b) above. Organizations are required to submit information required for the Volunteers or their agents to generate a bill for such services. Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. will not generate a bill for ambulance transport by organizations mentioned in 21.6(b) above that would be considered humanitarian assistance (meaning activities not undertaken as a result of a call for emergency assistance to the Appomattox County Public Safety Communications Center). Due to the fact that patient care information is highly confidential under several state and federal laws, Call Sheets/Patient Care reports will remain the responsibility of the agency responding to individual calls. Information shared under this subsection shall be that information reasonably necessary to accomplish the billing process or other arrangement as mutually agreed to by the providing agency and Appomattox County.

(2) Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. may generate a bill for ambulance service in their primary response area of organizations mentioned in 21.6(b) above in adjoining localities by separate agreement between Appomattox County, the adjoining locality, and the organization.

(3) No organization mentioned in 21.6(b) above that is licensed and chartered in Appomattox County by the Commonwealth of Virginia may bill for services without the prior consent of the Appomattox County Board of Supervisors.

(4) Fees and responsibility for payment. Payment of all charges for ambulance services, including evaluation, treatment or ambulance transport, shall be the responsibility of the patient or the parent, guardian, or other legally responsible party in the case of a minor or an individual deemed incompetent.

(c) Billing process. Patients will fall into one of the following categories for billing purposes.

(1) Insured through third-party health insurance company, Medicare, Medicaid, and is a resident of or employed in Appomattox County. The appropriate health insurance carrier will be billed. A resident of Appomattox County or persons employed in Appomattox County will not be responsible (invoiced) for co-payments, co-insurance, deductibles, or other similar payments.
(2) Insured through third-party health insurance company, Medicare, Medicaid, and is not a resident of or employed in Appomattox County. The appropriate health insurance carrier will be billed. Any applicable co-payments, co-insurance, deductibles, or other similar payments, may be billed to the patient.
(3) No insurance and is a resident of or employed in Appomattox County. The patient will be billed for services with no further action for collection.
(4) No insurance and is not a resident of or employed in Appomattox County. A bill may be sent to the patient transported. If the individual has the financial ability to pay, then payment of the outstanding charges is required. If the patient can demonstrate a financial hardship and qualifies for reduced payments pursuant to subsection (c), then the patient shall be eligible for a reduction of the amount of the charges due.

(d) Billing contractor. Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. may contract with a third-party for billing and related services.

(e) Ability to pay program.

(1) This program establishes an equitable fee setting policy for those situations where the patient is unable to meet the ambulance transport charge because of demonstrated financial hardship.
(2) The Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. shall establish "an ability to pay" scale and eligibility criteria for individuals who can demonstrate financial hardship and receive a reduction in the charges owed.
(3) When a patient is billed for a transport and because of limited financial resources or assets, a procedure is hereby established for such patients to apply for a reduction in the charges due.
(4) A patient representing that there exists a financial hardship will submit information sufficient to determine such hardship. If it is determined that payment of the emergency ambulance transport charges creates a financial hardship. Charges due may be reduced or waived according to the scale as may be established by the Appomattox County Rescue, Inc. or the Pamplin Volunteer Fire and EMS, Inc.

(f) Collections. Billing subscription services, and collection policies and services will be established by Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc.

For state law authority, see VA. CODE ANN. Section 32.1-111.14 (Cum. Supp. 2006).

Mr. Carter asked if anyone present wished to address the Board regarding this Ordinance.

Mr. Carter asked if any Board Member had any comments.

Mr. Carter made a couple of comments. In reading the first line on page 3, should "his" be "their"? Mr. Overstreet stated "his" is correct.

Mr. Carter called for further comments.

At 6:14 p.m. Mr. Carter closed the Public Hearing.

Samuel E. Carter

Samuel E. Carter, Chairman

On Monday, October 1, 2007 the Appomattox County Board of Supervisors held it's regularly scheduled at 6:30 p.m. at the Appomattox Community Center, located on Community Lane, Appomattox, VA.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Craft to deliver the invocation and the invited everyone to join the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **SETTING OF THE AGENDA:**
The following items were added:
ADMINISTRATION ITEMS:
5A. Appointment of Professional Assessor
5B. VACo Voting Credentials
5C. Virginia Region 2000 Annual Dinner Meeting
5D. Joint Meeting with School Board
5E. Adopt EMS Ordinance with amendment

CONSENT AGENDA:
8A. Appomattox County Public Schools.

INFORMATIONAL ITEMS:
15. FSA Updates:

Mr. Carter next asked for **CITIZEN PUBLIC COMMENTS:** This time if provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

No one present wished to speak at this time.

APPEARANCES:
Harold Wingate – Wingate Appraisal: Mr. Wingate will meet with the Board to give an update on the progress being made with the reassessment.

Mr. Harold Wingate introduced Don Thomas, who is their Vice-President in Charge of Civil Services. He is recommending that Mr. Thomas be appointed as the County's assessor for the remainder of the reassessment. The status at the present time is they are down to finishing up commercial, checking building permits, working with splits and transfers from the Commissioner's Office. The basic field work should be completed by mid-October. The notices will probably be mailed out about the middle of November. They have also got Nelson County, and will be trying to coordinate hearings at both places. The personnel assignments have not been figured out as yet. He says that there is no such thing as a "perfect reassessment". He says they will be looking for a place to hold the "reassessment hearings". He reinstated that their job is to propose an assessment rate, not determine a tax rate. He has enjoyed very much working with the various people in the County. They have not had a lot of complaints. They visited Thomasville last week.

Mr. Wingate called for questions.

Mr. Carter stated that during the last reassessment, the hearings were held at the Community Center.

Mr. Wingate stated that they would need some computer equipment, space for citizens to wait and some confidential areas for interviews. They should take 6 or 8 days for hearings, spread over a two week period.

Mr. Carter thanked Mr. Wingate for coming to the meeting and that from what feedback he has received, everyone is pleased with the attitude and professionalism of his employees.

Mr. Carter then called for action on the **ADMINISTRATIVE ITEMS:**

1. **Virginia Sesquicentennial of the American Civil War Commission:** Please find enclosed information concerning the plans for the 150th anniversary of the Civil War. We have been asked to do two things. One is to appoint a local person to the state committee. The second is to appoint a local committee to be working on planning local events during this celebration.

   Recommendation: Staff recommends appointing Anne Dixon to serve on the state committee. Also the suggested makeup of the local committee is outlined on page two of the letter from the Speaker of the House, William Howell. Please consider forming a committee to work on local events.

Ms. Ferguson stated that the Town would most likely appoint Becky Nix to serve on this committee as their representative. That being the case, Ms. Dixon and Ms. Nix could work closely with those citizens asked to serve on the local committee, basically creating one committee planning for local events.

If you have any suggestions for individuals to serve on this committee, please contact Ms. Dixon.

After a list of the individuals has been submitted, the Board will be asked to make appointments of the nominees selected for this committee.

Mr. Craft made a motion, seconded by Mr. Conrad, to appoint Ms. Anne Dixon to serve on the State Commission for the Virginia Sesquicentennial of the American Civil War Commission. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, and Mr. Carter, aye. (5 aye votes)

2. **Central Virginia Community Services Board request for Resolution:** The CVCSB is requesting that you adopt a resolution allowing them to issue debt to finance the cost of acquiring, renovation and undertaking capital improvements to the Courtland Project. Mr. Craft may wish to speak on this matter.

Mr. Craft passed out a handout regarding the services offered by the Courtland Center. This building is at 7th and Court Streets. Five or six years ago, when Mr. Moore was on the Board, in order to get some money they had to set up a corporation to borrow the money which they did at a rate of 7%. This grant expires the first of November. The Board has gone to VACo and VML to borrow this money, at a rate of 4.38% plus closing

at 4.75% . This will not cost us any money, it is just a formality all the jurisdictions must vote on.

Recommendation: Staff recommends adopting the Central Virginia Community Services Board Resolution.

Mr. Craft made a motion, seconded by Mr. Moore, to adopt the following resolution:

RESOLUTION

WHEREAS, Central Virginia Community Services Board ("CVCSB") wishes to purchase property known locally as 618, 620 and 717 Court Street, Lynchburg Virginia, which property includes the property known as the Courtland Building (together the "Courtland Building Premises") on the terms more particularly set forth in a Real Estate Purchase and Sale Contract dated September 14, 2007, between Courtland Services, L.P., Seller, and Central Virginia Community Services Board, Buyer, a copy of which Real Estate Purchase and Sale Contract is attached hereto as Exhibit I.

WHEREAS, the Contract to Purchase contains a provision making CVCSB's obligation to purchase the Courtland Building Premises expressly contingent upon CVCSB obtaining the approval of the terms of the Real Estate Purchase and Sale Contract by a resolution duly adopted by the Board Members of the Central Virginia Community Services Board.

WHEREAS, the Board of Central Virginia Community Services Board finds it is in the best interest of CVCSB to enter into and perform the Real Estate Purchase and Sale Contract upon satisfaction of all the contingencies set forth therein.

WHEREAS, BE IT RESOLVED that Central Virginia Community Services Board is authorized and directed to enter into and perform the Real Estate Purchase and Sale Contract, dated September 14, 2007, attached hereto as Exhibit 1, for the purchase of the Courtland Building Premises, subject to the satisfaction or waiver by Buyer of all conditions precedent set forth therein.

BE IT FURTHER RESOLVED that Nancy E. Cottingham as Executive Director of Central Virginia Community Services Board is authorized and directed to execute the Real Estate Purchase and Sale Contract on behalf of CVCSB, and to take all further steps and execute such further and additional documents as are reasonably necessary in order to perform CVCSB's obligations under said Real Estate Purchase and Sale Contract.

See Board File for Exhibit 1.

ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye (5 aye votes)

5. **Revision to amend and readopt Section 170-34 – Conditional Uses, Agricultural District A-1 in the Appomattox County Zoning Ordinance:**

On September 17, 2007 a public hearing was held to amend and readopt the Appomattox County Zoning Ordinance by revising certain provisions of the zoning ordinance text. No comments were received.

Planning Commission recommended approval.

Recommendation: Staff recommends adopting the revision of Section 170-34 Conditional Uses, Agriculture District A-1 in the Appomattox County

Mr. Craft made the statement that the Board should go along with the Planning Commissions recommendation.

Mr. Conrad stated that basically this is protecting us in that sludge cannot be stored anywhere other than where it will be utilized.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to adopt the following resolution:

AN ORDINANCE TO AMEND AND READOPT THE APPOMATTOX COUNTY ZONING ORDINANCE BY REVISING CERTAIN PROVISIONS OF THE ZONING ORDINANCE TEXT AS DESCRIBED IN THE FOLLOWING PARAGRAPHS

BE IT HEREBY ORDAINED, that the Appomattox County Zoning Ordinance is hereby amended and readopted by revising certain provisions of the Zoning Ordinance text as described as follows:

Amend Section 170-34-Conditional Uses, Agricultural District, A-1

Add Automotive Repair Garages, Mechanical and Body Shops.

Add Storage of Sewage Sludge, expressly subject to the requirements of the Appomattox County Code Chapter 140-Land Application of Biosolids and §32.1-164.5 et seq. and §62.1-44.19:3 et seq. of the Code of Virginia (1950) as amended, and such other applicable County, Federal , and State statutes, ordinances, and regulations as may be adopted from time to time. However, a conditional use permit shall not be required to begin the storage of sewage sludge on property in an A-1 zoning district as long as such sewage sludge is being stored (a) solely for land application on the farm on which the storage facility is located and (b) for a period no longer than forty-five (45) days.

Severability
Should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

Effective Date
This ordinance is effective upon adoption.

After reviewing the public testimony, the public record, the Planning Commission's recommendation, and the goals and objectives of the County's Comprehensive Plan, Supervisor Conrad made a motion, seconded by Supervisor Armbrust to amend and readopt the Appomattox County Zoning Ordinance by revising certain provisions of the Zoning Ordinance text as described in the attached ordinance.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. Revision to Ordinance to Amend to readopt the Land Application of Biosolids Ordinance:

On September 17, 2007 a public hearing was held to amend and readopt the Appomattox County Land Application of Biosolids Ordinance. No comments were received.

Planning Commission recommended approval.

Recommendation: Staff recommends adopting the revision to the County Code Chapter 140, Article 6 – Notice and Requirements for Land Application of Biosolids to be effective immediately.

Mr. Overstreet made a brief comment that we inadvertently put in text "beginning July 1, 2007" and actually should be "October 1, 2007". The July date was when the authorization came through with the State Code which we did not take action until tonight. This correction is in Section F.a.

After a short discussion, Mr. Craft made a motion, seconded by Mr. Moore, to adopt the following resolution:

AN ORDINANCE TO AMEND AND READOPT THE APPOMATTOX COUNTY LAND APPLICATION OF BIOSOLIDS ORDINANCE BY REVISING CERTAIN PROVISIONS OF THE ORDINANCE TEXT AS DESCRIBED IN THE FOLLOWING PARAGRAPHS

BE IT HEREBY ORDAINED, that the Appomattox County Land Application of Biosolids Ordinance is hereby amended and readopted by revising certain provisions of the Ordinance text as described as follows:

Amend Chapter 140, Article 6 Notice & Requirements for Land Application of Biosolids

Add Text:

F. Storage of Sewage Sludge

a. The applicant shall store the sewage sludge pursuant to all applicable County, State, and Federal statutes, ordinances, and regulations. No person shall apply to the State Health Commissioner or the Virginia Department of Environmental Quality for a permit, variance, or a permit modification authorizing such storage without first complying with all requirements adopted pursuant to §32.1-164.5 et seq. and §62.1-44.19:3 et seq., Code of Virginia, (1950), as amended and such other applicable County, State, and Federal statutes, ordinances, and regulations as may be adopted from time to time. In particular, beginning October 1, 2007, no application for a permit or variance to authorize the storage of sewage sludge in the County shall be complete unless it contains a certification from the Board of Supervisors of Appomattox County that the site for storage of sewage sludge is consistent with all applicable local ordinances. The Board of Supervisors shall confirm or deny consistency within thirty (30) days of receiving a request for certification. If the Board of Supervisors does not so respond, the site shall be deemed consistent.

b. Pursuant to the authority of §32.1-164.5 A.1 of the Code of Virginia, (1950), as amended (Cum. Supp. 2007) and pursuant to the findings set forth in Article 1 of this ordinance, the Board of Supervisors of Appomattox County shall, as part of Chapter 170 – Zoning, designate and reasonably restrict the storage of sewage sludge in Appomattox County.

c. Notwithstanding any contrary provision of law, the Board of Supervisors of Appomattox County shall require a conditional use permit be obtained to begin the storage of sewage sludge. Storage of sewage sludge may be permitted as a conditional use in an Agricultural District (A-1), subject to the requirements of §32.1-164.5 et seq. and §62.1-44.19:3 et seq., Code of Virginia, (1950), as amended and other such applicable County, State, and Federal statutes, ordinances, and regulations as may be adopted from time to time.

d. A conditional use permit shall not be required to begin the storage of sewage sludge on property in an A-1 zoning district as long as such sewage sludge is being stored (a) solely for land application on the farm on which the storage facility is located and (b) for a period no longer than forty-five (45) days.

e. The requirements of this section and of other applicable provisions of Chapter 170 of the Appomattox County regarding storage of sewage sludge shall be in addition to the local testing and monitoring ordinances permitted under subsection C. of §62.1-44.19:3 et seq., Code of Virginia, (1950), as amended, as may be adopted by the Board of Supervisors as part of this Chapter from time to time.
f. Storage of sewage sludge shall be prohibited in all other zoning districts in Appomattox County.

Severability
Should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

Effective Date
This ordinance is effective upon adoption.

After reviewing the public testimony, the public record, the Planning Commission's recommendation, and the goals and objectives of the County's Comprehensive Plan, Supervisor Conrad made a motion, seconded by Supervisor Craft to amend and readopt the Appomattox County Land Application of Biosolids Ordinance by revising certain provisions of the Ordinance text as described in the attached ordinance.
VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Planning Commission Recommendations:**
Planning Commission recommendations for the September 17, 2007 public hearing.

CUP07007 – Brad Kidd for a conditional use permit for property located on north side of Mountain Cut Road (Route 695). The applicant is seeking to locate an automotive repair garage, mechanical and body shop. Planning Commission recommended approval of this petition with conditions.

Recommendation: Staff recommends considering Planning Commission recommendations and making a decision of CUP07007.

Mr. Conrad stated that in reviewing this application, he is familiar with the applicants and feels that the service they offer will be beneficial to the community.

Mr. Carter also feels this petition should be approved. None of the adjoining property owners have any concerns and are all in favor of this business being located on said property. Mr. Carter asked Mr. Roark if these two (2) conditions were in order with other normal transactions.

Mr. Roark responded that the normal buffers are twenty-five (25) foot buffers so the forty (40) foot is more than what we have been doing. The Planning Commission felt the applicant should leave the trees that were already there standing.

Mr. Overstreet stated that the Kidds could always submit another application to amend this use permit.

After further discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve **CUP07007 - Brad Kidd** for a conditional use permit for property located on

the north side of Mountain Cut Road (Route 695) for the location of an automotive repair garage, mechanical and body shop with the following conditions:

- A forty (40) foot buffer of existing hardwood trees shall remain around the perimeter of any area cleared for the commercial use.
- In connection with the commercial use, no more than twelve (12) inoperable vehicles shall be visible from the public right-of-way or from any adjoining property.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5A. Appointment of Professional Assessor:

Harold Wingate has written informing us of the need to appoint a professional assessor for the remainder of the reassessment. He has suggested Mr. Don Thomas and has provided a resume for your consideration.

Recommendation: Staff recommends appointing Mr. Don Thomas as professional assessor for the County.

Mr. Craft made a motion, seconded by Mr. Moore to appoint Mr. Don Thomas as the professional assessor for the County for the remainder of the reassessment process. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5B. VACO Voting Credentials:

Virginia Association of Counties has requested that you appoint a representative of the Board of Supervisors to cast our votes at the Annual Business Meeting. Mr. Craft fulfilled this responsibility last year. Mr. Conrad and Mr. Craft will be attending the annual conference this year.

Recommendation: Staff recommends appointing a representative to cast your vote at the annual business meeting to be held in November, 2007.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to appoint Mr. Craft to represent and cast the votes for the Appomattox County Board of Supervisors at the annual VACo meeting in November, 2007.
VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5C. Virginia Region 2000 Annual Dinner Meeting:

The Annual Dinner Meeting of Region 2000 will be held October 18, 2007 beginning at 6:00 P.M. The meeting will be hosted by Lynchburg City Council and the guest speaker will be Dr. Christine Chmura, Chief Economist of Chmura Economics. Dr. Chmura will present the National, State and Regional Economic Outlook.

Recommendation: Staff recommends notifying the County Administrator if you will be attending in order that she can make your reservations.

Mr. Conrad, Mr. Craft and Mr. Overstreet will be attending the Region 2000 Annual Dinner Meeting on October 18, 2007 at the Oakwood Country Club, Lynchburg, Va. Mr. Carter is not sure at this time, will notify Ms. Ferguson later.

5D. Joint Meeting with School Board:

Mr. Conrad has been working with Dr. Boone to schedule a joint meeting to invite Susan Hogge to meet with us to provide information concerning public school funding.

Recommendation: Staff recommends receiving Mr. Conrad's report.

Mr. Conrad reported that as you will recall, we met earlier this year with Ms. Hogge and a meeting was set up with our delegate. Ms. Hogge is a Legislative Fiscal Analyst and is on the Appropriations Committee in the House of Delegates. Since the majority of our budget goes to the School Board, about 66% of the total budget, it becomes imperative that some of the comments made about how our budget is spent be addressed and there have certainly been numerous questions. At that meeting, she explained about the procedure for actually how much would be allocated for the County. She went into a lot of depth on this subject. She also explained that there are programs that the county school boards can go into to help them become better equipped at managing their funding and making requests. He felt it would be nice if the School Board and the Board of Supervisors got together and invited Ms. Hogge to talk with us. He has talked with her and asked if she would meet with us. Our next meeting with the School Board is scheduled for October 22nd, but a few things will prohibit her from participating on this date. Ms. Hogge will be on a vacation cruise and since this will be our first meeting with the School Board and Dr. Boone, this would not be a very good time for her to be there. Mr. Conrad had spoken with Bobby Waddell today and he suggested that maybe we could meet on Monday, October 29,th. After talking with Ms. Ferguson, it was suggested that maybe we could have Ms. Hogge come to the November 26th meeting.

After some discussion, it was the consensus of the Board to have Ms. Hogge meet with the Board of Supervisors and the School Board at the regular board meeting on Monday, November 26, 2007.

5E. Adopt EMS Ordinance with Amendments:

A public hearing was held at 6:15 p.m. to receive comments on an Ordinance to Establish a County EMS/Rescue Division, provide for Mutual Aid and provide for Revenue Recovery as Authorized by Chapter II, Title 27 of the Code of Virginia Section 32.1-111.14 and Section 15.2-955.

Recommendation: Staff recommends adopting the EMS Ordinance.

Mr. Overstreet commented that paragraph c), last sentence, under Section 21.6, should read "***Furthermore, these private commercial or not-for-profit entities, except those providers with whom Appomattox County Rescue Squad and Pamplin Volunteer Fire and EMS, Inc. contract are exempt from the remainder of the provisions in this article.***"

Mr. Conrad asked if basically what we are looking at here as far as paid services, these services are set up so that when the rescue squad is called during the day time hours, there will be someone to respond.

Ms. Ferguson stated, this is not what the ordinance is about, but Appomattox Rescue Squad is entering into an agreement with a private service to have individuals that will answer daytime calls. You must understand that this is not the answer to all of the problems. If you have a number of calls come in at the same time, you will never have enough personnel to respond to all these calls. What this ordinance will do is basically establish a defined system which we already have a little of in our old County Code. This is basically updating and expanding and giving permission to those agencies that serve the citizens to re-coup those costs from private insurance, Medicare, Medicaid, etc. It will allow them to establish this practice, which is identified in the Code.

After a lengthy discussion, Mr. Craft made a motion, seconded by Mr. Conrad, to Adopt the following:

EMS/RESCUE DIVISION, PROVIDE FOR MUTUAL AID AND PROVIDE FOR REVENUE RECOVERY AS AUTHORIZED BY CHAPTER II TITLE 27 OF THE CODE OF VIRGINIA SECTION 32.1-111.14 AND SECTION 15.2-955. AN ORDINANCE TO ESTABLISH A COUNTY

CHAPTER 21 ARTICLE III

Section 21.6 Establishment of a County EMS/Rescue Division.

a) In order to assure the adequate and continuing emergency services to the citizens of Appomattox County and to preserve, protect and promote the public health, safety, and general welfare, and in order to provide all emergency services personnel with the full benefit of privileges, rights and remedies available to them under law, the Board of Supervisors of Appomattox County hereby establishes a County EMS/Rescue Division in order to mitigate the effects of accidents, disasters and other medical and rescue oriented emergency situations.

b) The following organizations are hereby officially recognized as entities of the Appomattox County Department of Public Safety, EMS/Rescue Division and are hereby granted permits to operate emergency medical service vehicles in Appomattox County: Appomattox County Rescue Squad, Inc., Pamplin Volunteer Fire and EMS, Inc., Concord Volunteer Rescue Squad and Gladstone Fire/EMS. Volunteer agencies identified in this subsection will maintain separate licensure with the Virginia Department of Health – Division of Emergency Medical Services and maintain oversight of their respective volunteer agencies unless a separate agreement is entered into with Appomattox County as agreed to by both parties. Included in this provision is the responsibility to maintain mutual aid agreements with bordering agencies.

c) The following organizations are hereby officially recognized as private commercial or not-for-profit entities that are authorized to provide EMS services within Appomattox County and are granted permits to operate emergency medical service vehicles, including but not limited to air medical evacuation (medevac) services utilizing helicopters equipped for such use, in Appomattox County and charge a fee for the service they provide to patients: any private service provider with whom Appomattox County Volunteer Rescue Squad, Inc. or Pamplin Volunteer Fire and EMS, Inc., contracts, Centra Health (Medflight helicopter), University of Virginia (Pegasus helicopter) and Carilion Health System (Lifeguard helicopter). Furthermore, these private commercial or not-for-profit entities, except for Appomattox County Rescue Squad and Pamplin Volunteer Fire and EMS, Inc., are exempt from the remainder of the provisions in this article.

d) Each of the organizations mentioned in section 21.6(b) shall be assigned response areas that provide the best services to the citizens of the County. These response areas shall be maintained in writing by the Appomattox County Department of Public Safety, a copy of which will be posted in the communications

center and available to the public. The Department of Public Safety may amend or change these boundaries from time to time in order to provide the best services available.

e) For purposes of this Article, the following definitions shall apply, unless the context requires a different meaning:

"Emergency medical services personnel" means persons responsible for the direct provision of emergency medical or rescue services in a given medical emergency or emergency rescue including all persons who could be described as attendants, attendants-in-charge, or operators.

"Emergency medical services vehicle" means any vehicle, vessel, aircraft or ambulance that holds a valid emergency medical services permit issued by the State Office of Emergency Medical Services that is equipped, maintained or operated to provide emergency medical care or transportation of patients who are sick, injured, wounded, or otherwise incapacitated or helpless.

"EMS squad" or "EMS department" means a volunteer emergency medical services (EMS) organization organized pursuant to VA. CODE ANN. Section 27-8 in any town, city or county of the Commonwealth, with the approval of the governing body thereof consisting of emergency medical services personnel.

For state law authority, see VA. CODE ANN. Section 32.1-111.14 (Cum. Supp. 2006). See AlsoVA. CODE ANN. Section 15.2-955 (Cum Supp. 2006), Section 27-8.1 (Repl. Vol. 2004), And section 27-23.6 (Repl. Vol. 2004).

Section 21.7.Entities of County EMS/Rescue Division responsible to the Department of Public Safety.

a) Each of the organizations and groups mentioned in subsection (b) and (c) of 21.6 shall coordinate their operations and activities with the Appomattox County Department of Public Safety and will carry out their assigned tasks to the best of their ability.

b) Each EMS/rescue organization mentioned in 21.6(b) shall appoint a captain who shall be responsible for the overall direction and control of EMS/rescue service activities within his organization's respective primary response area. Additionally, the captain shall insure that his organization complies with all of the provisions of applicable laws, ordinances, and standard operation procedures and shall coordinate his organization's operations and activities with the Director of Public Safety or his designee.

For state law authority, see VA. CODE ANN. Section 32.1-111.14 (Cum. Supp. 2006). See also VA. CODE ANN. Section 27-23.6(Repl. Vol. 2004).

Section 21.8.Responsibility and authority.

a) All officially recognized members of the organizations and groups mentioned above shall perform their respective duties, as outlined in standard operating procedures and applicable laws and ordinances, to the best of their ability.

b) All officially recognized members of the organizations and groups mentioned above will be subject to the procedures and practices established by the Appomattox County Board of Supervisors or its designee.

c) While performing in his official capacity, each of the members of the organizations and groups mentioned above shall have the authority to carry out his respective assignments as provided for in applicable laws, ordinances and standard operating procedures.

For state law authority, see VA. CODE ANN. Section 27-23.6 (Repl. Vol. 2004) and Section 32.1-111.14 (Cum. Supp. 2006).

Section 21.9.EMS/Rescue personnel afforded certain privileges, rights and remedies.

When providing services in their official capacity and acting within the guidelines of the Department of Public Safety, all officially recognized members of the organizations and groups mentioned above shall be afforded all of the privileges, rights and remedies available to them under law.

For state law authority, see VA. CODE ANN. Section 18.2-414.1 (Repl. Vol. 2004). See also VA. CODE ANN. Section 27-15.1 (Repl. Vol. 2004) and section 27-23.9 (Repl. Vol. 2004).

Section 21.10.Service Fee for ambulance transport.

a) Service fee for emergency ambulance transport.

(1) Pursuant to VA. CODE ANN. Section 32.1-111.14 (Cum. Supp. 2006), as amended, it is herby determined and declared that the exercise of the powers and duties set forth herein is necessary to assure the provision of adequate and continuing emergency services and to preserve, protect and promote the public health, safety and general welfare.

(2) Definitions. The following definitions shall apply to ambulance charges:

"Basic life support (BLS)": Services shall be medical treatment or procedures provided to a patient as defined by the National Emergency Medical Services (EMS) Educational and Practice Blueprint for the Emergency Medical Technician (EMT)-Basic.

"Advanced life support level 1 (ALS-1)": Services shall be medical treatment or procedures provided to a patient beyond the scope of an EMT-Basic as defined by the National EMS Education and Practice Blueprint.

"Advanced life support level 2 (ALS-2)": Services shall be defined as advanced life support (ALS) services provided to a patient including any of the following medical procedures: (i) manual defibrillation/cardio version, (ii) endotrachael intubation, (iii) central venous line, (iv) cardiac pacing, (v) chest decompression, (vi) surgical airway or (vii) intraosseous line, and the administration of three (3) or more medications.

"Ground transport mileage (GTM)": Shall be assessed in actual road miles from the location of the incident scene, or center point of a rescue demand zone where an incident scene or address is located, to a hospital or other facility where a patient is transported.

(3) The schedule of rates for emergency ambulance transport services by the Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. shall be based on a schedule as may be set by resolution by the membership of the Appomattox County Rescue Squad, Inc. and the membership of the Pamplin Volunteer Fire and EMS, Inc. from time to time.

(4) The Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. shall adopt appropriate rules and policies for the administration of the charges imposed by this section, including and not limited to, payment standards for those persons who demonstrate economic hardship, as established by this ordinance.

(b) Billing.

(1) Appomattox County Rescue Squad, Inc and Pamplin Volunteer Fire and EMS, Inc. or its agent shall generate a bill for ambulance transports whose point of origin is within the boundaries of Appomattox County performed by all ambulances operated by an agency licensed and chartered in Appomattox County by the Commonwealth of Virginia and mentioned in section 21.6(b) above. Organizations are required to submit information required for the Volunteers or their agents to generate a bill for such services. Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. will not generate a bill for ambulance transport by organizations mentioned in 21.6(b) above that would be considered humanitarian assistance (meaning activities not undertaken as a result of a call for emergency assistance to the Appomattox County Public Safety Communications Center). Due to the fact that patient care information is highly confidential under several state and federal laws, Call Sheets/Patient Care reports will remain the responsibility of the agency responding to individual calls. Information shared under this subsection shall be that information reasonably necessary to accomplish the billing process or other arrangement as mutually agreed to by the providing agency and Appomattox County.

(2) Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. may generate a bill for ambulance service in their primary response area of organizations mentioned in 21.6(b) above in adjoining localities by separate agreement between Appomattox County, the adjoining locality, and the organization.

(3) No organization mentioned in 21.6(b) above that is licensed and chartered in Appomattox County by the Commonwealth of Virginia may bill for services without the prior consent of the Appomattox County Board of Supervisors.

(4) Fees and responsibility for payment. Payment of all charges for ambulance services, including evaluation, treatment or ambulance transport, shall be the responsibility of the patient or the parent, guardian, or other legally responsible party in the case of a minor or an individual deemed incompetent.

(c) Billing process. Patients will fall into one of the following categories for billing purposes.

(1) Insured through third-party health insurance company, Medicare, Medicaid, and is a resident of or employed in Appomattox County. The appropriate health insurance carrier will be billed. A resident of Appomattox County or persons employed in Appomattox County will not be responsible (invoiced) for co-payments, co-insurance, deductibles, or other similar payments.

(2) Insured through third-party health insurance company, Medicare, Medicaid, and is not a resident of or employed in Appomattox County. The appropriate health insurance carrier will be billed. Any applicable co-payments, co-insurance, deductibles, or other similar payments, may be billed to the patient.

(3) No insurance and is a resident of or employed in Appomattox County. The patient will be billed for services with no further action for collection.

(4) No insurance and is not a resident of or employed in Appomattox County. A bill may be sent to the patient transported. If the individual has the financial ability to pay, then payment of the outstanding charges is required. If the patient can demonstrate a financial hardship and qualifies for reduced payments pursuant to subsection (c), then the patient shall be eligible for a reduction of the amount of the charges due.

(d) Billing contractor. Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. may contract with a third-party for billing and related services.

(e) Ability to pay program.

(1) This program establishes an equitable fee setting policy for those situations where the patient is unable to meet the ambulance transport charge because of demonstrated financial hardship.

(2) The Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc. shall establish "an ability to pay" scale and eligibility criteria for individuals who can demonstrate financial hardship and receive a reduction in the charges owed.

(3) When a patient is billed for a transport and because of limited financial resources or assets, a procedure is hereby established for such patients to apply for a reduction in the charges due.

(4) A patient representing that there exists a financial hardship will submit information sufficient to determine such hardship. If it is determined that payment of the emergency ambulance transport charges creates a financial hardship. Charges due may be reduced or waived according to the scale as may be established by the Appomattox County Rescue, Inc. or the Pamplin Volunteer Fire and EMS, Inc.

(f) Collections. Billing subscription services, and collection policies and services will be established by Appomattox County Rescue Squad, Inc. and Pamplin Volunteer Fire and EMS, Inc.

For state law authority, see VA. CODE ANN. Section 32.1-111.14 (Cum. Supp. 2006).

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **CONSENT AGENDA:**

6. **Approval of Bills:** Please approve bills for payment as presented.

SUPPLEMENTAL APPROPRIATIONS:

7. **Sheriff's Department:**
   Please appropriate by consent and supplement $309.82 to 3102-1002 Overtime in the Sheriff's budget to pay for reimbursement received from the Express Lane for Officer's working security.

8. **Sheriff's Department:**
   Please appropriate by consent and supplement the following for reimbursement from the Department of Justice for overtime:

3102-1002	Overtime	$1,204.24
3102-2001	FICA	99.76

8A. **Appomattox County Public Schools:**
Please supplement by consent and appropriate $756,965.01 to the schools FY2008 budget. These funds represent monies that were not expended in Fy2007.

Mr. Craft asked for an explanation on the School Request.

Ms. Ferguson stated this request takes into account final payments received late in June 2007, changes due to March 31 ADM, the 2006-2007 budget over forecast of sales tax by the state and the change in payment of debt service from the School Board to the County. These funds that were held back and unexpended.

Mr. Conrad made a motion, seconded by Mr. Craft to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then reviewed the **INFORMATIONAL ITEMS:**

5. **Letter Sheriff Staples:**
   Sheriff Staples has written to the Board thanking you for recognizing his officers by approving the increased retirement benefits.
6. **Auditor of Public Accounts:**
   Notice has been received from the Auditor of Public Accounts letting you know that his audits of the Constitutional Officers funds were found to be in order.
7. **Voting Machines:**
   As you will recall, during the last legislative session, the General Assembly passed a bill that would cause us to have to purchase new voting machines. Enclosed is information that they may be rethinking their decision.
8. **Region 2000 Update:**
   Please find enclosed a newsletter from Region 2000 briefing you on various regional projects.
9. **Employee Certification:**
   Barry Watkins has completed his required level of NIMS training and received certificates for IS-100 and IS-2007.
15. **FSA Update**: September 2007 report from the Farm Service Agency.

Mr. Carter then called for **Supervisor Concerns:** (Items 14)

There were no concerns at this time.

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

Monday, October 15, 2007
Regular Scheduled Meeting
6:30 p.m.
Community Center

Region 2000 Regional Dinner
Thursday, October 18, 2007
Oakwood County Club
Rivermont Avenue
5:30 p.m. – Local Government Council Meeting
6:00 p.m. – Reception
6:30 p.m. – Dinner

Joint Meeting with School Board
Monday, October 22, 2007
7:00 p.m.
School Board Office

At 7:30 p.m. Mr. Armbrust made a motion, seconded by Mr. Craft, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter, Chairman

On Monday, October 15, 2007, the Appomattox County Board of Supervisors held its regularly scheduled meeting at 6:30 p.m. at the Appomattox County Community Center located on Community Lane, Appomattox, Va.

PRESENT:

Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:

Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner
Bobby Wingfield – Public Safety Director
Alice Rockefeller – Landfill Supervisor

At 6:30 p.m. Mr. Carter called the meeting to order and asked Mr. Armbrust to deliver the invocation, followed by everyone joining in the Pledge of Allegiance to the American Flag.

Mr. Carter stated the first item on the agenda was the **SETTING OF THE AGENDA:**

ADD:

9A. Approval of Purchase of Loader for Landfill

Mr. Carter then called for **Citizen Public Comment Period:**
This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

No one came forward to speak at this time.

Mr. Carter then presented the **ADMINISTRATIVE ITEMS:**

1. **T. J. Knight - Waste Management Facility Operator License:**
   Ms. T. J. Knight has been asked to attend the meeting with her supervisor Alice Rockefeller to be recognized by the Board for receiving her Waste Management Facility Operator's License. T. J.'s receiving this license to operate the Landfill is a great benefit to the County since a certified operator is required to be on site during the hours of operation.

   Recommendation: Staff recommends recognizing Ms. Knight for her accomplishment.

Mr. Carter congratulated Ms. Knight on her achievement and expressed the Board's appreciation for her dedication and hard work on obtaining this certification.

Ms. Ferguson stated that this has taken quite a bit of time in studying at home as well as a lot of anxiety on T. J.'s part in passing this examination. She passed it on her first attempt which is something some others have failed to do. This is no small feat.

Mr. Craft also stated he would like to commend John Spencer, Barry Watkins, all the other County Employees as well as the Landfill Personnel during the moving of the Administrative Offices. Everyone shared in this work and saved the County a lot of money.

2. **Appomattox County Chamber of Commerce:**
   The Chamber is requesting that you waive the damage deposit of $100.00 for their use of Courtland Field.

Recommendation: Staff recommends considering this request. The County Attorney may wish to comment on this.

Mr. Overstreet stated he had looked through the Policy for the Use of Courtland Field and he does not see anything in this policy that would give us the authority to waive this fee. We need to set a policy to that effect or waive it for everyone. We cannot pick and choose under the Equal Protection Rules of the Constitution. It is his opinion that, unfortunately, the Board does not have the authority to do this.

The Board by consensus denied the request to waive the $100.00 damage deposit.

Mr. Craft called attention to Section 5.A. – Rules for Use: "No alcoholic beverages allowed on the grounds at any time." We need to make some changes or amendments to this policy, one way or another. With this damage deposit, if there are no damages, your deposit is refunded.

Ms. Ferguson stated that she, Mr. Overstreet, and Mr. Conrad have had some discussion on this particular item today. This is a County Policy, it is not an Ordinance, so the policy itself can be amended as the Board sees fit. She would go so far as to say that she would personally not like to see you remove this statement in its entirety. It serves a great purpose and we don't want people loading up coolers and coming to the ball park, Courtland Field or wherever. If Mr. Overstreet could invent some proper language to state that if the beverage is served by the person/organization putting on the event, that it would be acceptable with permission by the County Administrator or whoever that may be. You can amend this Policy prior to making a decision about anything else.

Mr. Conrad stated that we could probably put in a statement to the fact that the alcoholic beverages are provided by the sponsors of the event. For the safety of everyone involved that it be done by the Board and not placed on the County Administrator.

Ms. Ferguson stated that if the sponsor of the event is distributing the alcoholic beverages, then they have some control of the amount and so they could cut someone off and refuse to sell them anymore, if a problem persisted or if they felt the person had had too many.

Mr. Overstreet suggested that for tonight, there be a motion and vote to amend this policy to allow the salel of alcoholic beverages by the sponsors of the event under the terms and conditions established by the County Administrator for this field. This would take care of this event and in the meantime, we could work up a more comprehensive policy for the Board's approval amending the current policy.

After further discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to amend Section 5.A to allow the selling of alcoholic beverages by the event sponsors at Courland Field. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. Department of Conservation and Recreation Inspection:

On March 27, 2007 staff from the Department of Conservation and Recreation conducted an assessment of the County's Erosion and Sediment Control Program. Results are enclosed. (See Board File)

Recommendation: Staff will be implementing measures in the months ahead to rectify the problems that have been noted by the Department of Conservation and Recreation.

Ms. Ferguson wanted to make the Board aware that this is a mandated program by the State and the purpose is to preserve construction sites, to make sure there is no run-off or damage done to any streams or adjacent property. We were very nervous about this inspection because the gentleman did not seem well pleased with our program when he was here. But as you can see, we really did great. The inspection part was where we are really lacking and there is nothing we can do about that except personnel. We will be working on that. They have given us a little time. We will receive a formal notice after November 15th, and that will give us a set number of days to start taking care of the problems. Mr. Roark is already working on amending the ordinance which is part of what we got "gigged" on as our ordinances are not up to date. These will be presented for your approval at a future date. We were told we looked a lot better than some localities they have inspected.

4. Resolution Request Concerning Capping Interest Rates on Consumer Loans:

The Staunton City Council is requesting that you adopt a resolution asking the Virginia General Assembly to cap interest rates at 36% APR on consumer loans such as payday lenders and auto title loans.

Recommendation: Staff recommends that you consider the request from the Staunton City Council.

After some discussion, Mr. Craft made a motion, seconded by Mr. Conrad, to adopt the following resolution:

RESOLUTION
TO REQUEST THAT THE GENERAL ASSEMBLY
AND
GOVERNOR OF VIRGINIA
TAKE ACTION TO PREVENT EXPLOITATIVE PAYDAY LENDING PRACTICES
IN THE COMMONWEALTH

WHEREAS, the Board of Supervisors of Appomattox County, Virginia, represents the citizens of Appomattox County, Virginia;

WHEREAS, the Board of Supervisors of Appomattox County, Virginia, shares these same significant concerns wand wishes to express the collective sentiments of the People of the County of Appomattox, Virginia, that the General Assembly and the Governor of Virginia, ought to take action to prevent further exploitative payday lending practices; and

WHEREAS, it is vital that the General Assembly and the Governor of Virginia give their earnest attention to these matters at the next regular session of the General Assembly and enact laws that will prevent further exploitative payday lending practices.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Appomattox County, Virginia, that the General Assembly and the Governor of the Commonwealth of Virginia are requested to take action in connection with the next regular session of the General Assembly of Virginia to enact laws that will prevent further exploitative payday lending practices, including but not limited to:

1. Enactment of an annual interest rate cap of 36% for any consumer loans made in the Commonwealth of Virginia:
2. Prohibition of the use of a personal check or other method by a creditor to gain access to a consumer's bank account or method to gain title to a consumer's motor vehicle as collateral for a payday loan; and
3. Enactment of supplementary and complementary provisions which mirror the provisions of what is commonly referred to as the Talent-Nelson Amendment (Senate Amendment 4331), entitled "Terms of Consumer Credit Extended To Service Member Or Service Member's Dependent" and referenced on page S6352 of the June 22, 2006 Congressional Record – Senate, a copy of which is annexed to and incorporated by reference in this resolution. (SEE BOARD FILE)

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. Tobacco Commission Economic Development Grant:

In May, the County submitted a Southside Economic Development Committee grant for CVCC Phase 2 that was kicked out on a technicality. After consultation with the Tobacco Commission legal counsel, the grant can be resubmitted with a certain legal agreement being made between the County and CVCC. This agreement is being addressed at this time so that the grant can be resubmitted by the November 1, second round deadline.

Recommendation: Staff recommends Board to adopt resolution that will be presented Monday evening authorizing this grant to be resubmitted.

Mr. Spencer commented that in May we submitted this grant application in the first round in the allocation process. Some similar grants for other counties were basically kicked out and referred to the educational committee all resulting from the bond counsel for this year having a role in saying which grants are eligible for which pot of money. This gets very technical and Mr. Overstreet has looked over the Greenville County application which did actually get signed with their community college. We are working with CVCC to make sure that same agreement can be tied between counties, tobacco commissions and CVCC, basically stating who will be responsible for what in terms of accountability and what the money will be used for. We are attempting to re-submit this grant application by November 1, 2007, with the agreement to be signed once the Tobacco Commission presents us with final copy.

Mr. Conrad made a motion, seconded by Mr. Craft, to adopt the following resolution:

RESOLUTION TO ENDORSE THE APPLICATION FOR VIRGINIA TOBACCO INDEMNIFICATION AND COMMUNITY REVITALIZATION COMMISSION EDUCATION GRANT PROGRAM FUNDS TO ADDRESS WORKFORCE DEVELOPMENT AND EDUCATION NEEDS IN THE COUNT OF APPOMATTOX

WHEREAS, The Virginia Tobacco Indemnification and Community Revitalization Commission (TICRC) has announced available funding for their Education Grant Program, and

WHEREAS, The County of Appomattox and the Appomattox Workforce Development Center Management Team underwent a thorough planning process to identify and prioritize long-term needs to strengthen and sustain the County of Appomattox, has identified workforce training deficiencies and opportunities in the county; and

WHEREAS, The County of Appomattox, acting on the recommendations developed in the abovementioned process, has developed and opened Phase I of the Appomattox Workforce Development Center at the Carver-Price Educational Complex; and

WHEREAS, due to outstanding community interest and support, the County of Appomattox and Central Virginia Community College have agreed to continue the execution of the Appomattox Workforce Development Center Master Plan by initiating the construction of Phase II, which will include additional classroom and laboratory space; and

WHEREAS, approximately $700,950 will be expended on Phase II of this project, with the primary funding sources being a TICRC Education grant ($250,000 awarded in 2006 and an anticipated award of $250,000 in 2007), an anticipated TICRC Economic Development Grant of $71,401 and $129,549 from the County of Appomattox and other potential sources; and

WHEREAS, the Appomattox County Board of Supervisors is committed to the continued development and expansion of a workforce development center in Appomattox and will be responsible for the management, maintenance, and operation of the building to ensure that the center can continue as long as Central Virginia Community College continues to lease the facility for classes and programs that improve and enhance the education and career preparedness level of the workforce and business community of Appomattox County.

THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Appomattox wishes to apply for funding in the amount of $250,000.00 from the Virginia Tobacco Indemnification and Community Revitalization Commission for an Education Grant to be utilized to develop Phase II of the Appomattox Workforce Development Center at the Carver-Price Educational Complex.

BE IT FURTHER RESOLVED THAT Aileen T. Ferguson, County Administrator, is hereby authorized to sign and submit the appropriate documents for submittal of this TICRC Education Grant Application, and to execute any necessary legal documents if the grant is awarded to the County of Appomattox.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

6. Burn Ban:

Bobby Wingfield, Director of Public Safety, is requesting all outdoor burning be banned in Appomattox County. The ban would apply to all outdoor burning, including yard debris, agricultural or land-clearing burns.

Recommendation: Staff recommends imposing a burn ban effective immediately.

Mr. Bobby Wingfield and Mr. Rick Butler addressed the Board on this issue.

Mr. Wingfield presented the Board Members with more detailed information regarding the drought conditions in the county.

Mr. Butler stated that conditions are terribly dry.

Mr. Wingfield continued by stating Appomattox is one of the last counties in our area to adopt a burn ban. Prince Edward has to have a public hearing before they can enforce a burn ban, but this should be in effect in a couple of days. He also believes that the State will be forced to issue a ban by the middle of the month.

Mr. Conrad asked what exactly does this ban cover?

Ms. Ferguson asked Mr. Wingfield to clarify what can and cannot be burned.

Mr. Wingfield stated that if you are burning in a metal barrel, you must cover the barrel with a screen with no larger than ¼" openings. All burning must be in a closed container. The general public should consider safety issues.

The County will notify the newspapers, the television stations and post notices of this burn ban, but there will still be people who will not see any of these notices.

There was a lengthy discussion regarding campfires, hunting seasons, etc., after which Mr. Carter declared a burn ban be placed in effect immediately for the County of Appomattox.

Mr.Craft made a motion, seconded by Mr. Armbrust, to approve the following Burn Ban Declaration:
This is to notify you that the Appomattox County Board of Supervisors has declared that an emergency exists wherein the continued dry weather conditions require the issuance of a burning ban making it unlawful for any person to set fire to, or procure another to set fire to any woods, brush, logs, grass, debris or other flammable materials with the boundaries of Appomattox County.

This burning ban will continue in effect until terminated by the actions of the Board of Supervisors.

The effective date of this burning ban is Tuesday, October 16, 2007.
VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

7. **<u>Appomattox Heritage and Recreational Trail Plan:</u>**
We have received a resolution supporting the application for Virginia Transportation Enhancement Program funds to develop the first component of the Appomattox Heritage & Recreation trail. This trail corridor is a component of a larger alternative transportation loop that would link the town, county, and the Appomattox Court House NHP. No dollar figure has been determined as of yet for the county's match, however, the donation of the easement by the EDA for the trail to extend through the industrial park will serve as one component of the

county's match, as well as any in-kind services, or public donations made to the project.

Recommendation: Staff recommends approval of grant application.

Mr. Craft stated he had attended the meeting last week and he personally met two gentlemen who are giving free time to do this work. He really hopes this works. There were not as many present at this meeting as he would like to have seen.

Mr. Armbrust made a motion, seconded by Mr. Craft to approve the following resolution:

ENDORSEMENT RESOLUTION BY APPOMATTOX COUNTY, VIRGNIA FOR SUBMITTAL TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR A FY 2008-2009 TRANSPORTATION ENHANCEMENT GRANT

WHEREAS, Appomattox County recognizes the importance of highlighting the unique cultural, historic, and natural resources of the community to insure the quality of life for its residents now and in the future; and

WHEREAS, Appomattox County, in partnership with the Town of Appomattox, The Appomattox Court House National Historical Park, and citizen stakeholders developed and approved The Appomattox Heritage and Recreational Trail Plan – A Vision of Connectivity as guiding document create alternative transportation corridors in the community; and

WHEREAS, Appomattox County approved The Region 2000 Greenway, Blueways, and Trail Plan, a regional preservation, trail, and alternative transportation plan; and

WHEREAS, the Appomattox County Economic Development Authority approved the use of EDA property for the utilization of a trail to provide for safe transportation of pedestrian to the Appomattox County Community Park; and

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that Virginia Department of Transportation program an enhancement project in the County of Appomattox;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Appomattox County, hereby requests the Commonwealth Transportation Board to establish a project for the Appomattox Heritage Trail, a multi-use trail; and

BE IT FURTHER RESOLVED, the Appomattox County Board of Supervisors hereby agrees to pay a minimum of 20 percent of the total cost of planning and design, right of way, and construction of this project, and that, if Appomattox County subsequently elects to cancel this project it hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation.

VOTE: Mr. Armbrust, aye; Mr. Conrad. Aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

8. **Vera Container Site:** As you will remember at a previous meeting Landon Bryant came before the Board and requested that the container site at Vera

either be relocated or moved further back on the site. Ms. Rockefeller and Ms. Ferguson inspected the container site on October 10, 2007, and a report will be presented at the meeting on October 15, 2007.

Recommendation: Staff recommends receiving this report and making a decision.

Ms. Ferguson presented each Board Member with a report on the Vera Container Site containing the history of the site since being established in 1973. Also included in this report was an estimated cost of $98,500.00 for moving the site approximately 500' back on the lot. This estimate does not include the cost of purchasing four (4) acres from the Abbitt Family. In talking with Watkins Abbitt, he stated that he felt sure his sisters would agree to sell four (4) acres of their property to the County. If the Board is interested in relocating the Vera Container site, Ms. Ferguson will get back with Mr. Abbitt to discuss a price for the land.

Also, this estimate does not include the $60,000.00 needed to upgrade the site to a manned site in the near future.

Ms. Ferguson reported that after Mr. Bryant came by the office with his complaint, Mr. Martin, the Animal Warden, went down and set traps. He has been on several occasions since then. He will continue to monitor this site for signs of animals.

After some discussion, it was the thought of most of the board, that once we establish the manned sites, this problem will be eliminated. Also Ms. Ferguson has asked the Sheriff's Department to patrol this area on a regular basis which should also help with the automobiles parking and the loud music.

Mr. Conrad made a motion, seconded by Mr. Moore, to leave the Vera Container Site as is. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

9. **Zoning Petition for Kennon Auto Sales:** Mr. Roark will provide the Planning Commission recommendations at meeting.

Mr. Roark presented the Planning Commission recommendations. One thing has changed since the last meeting. The entrance to this business has been changed from Phoebe Pond Road to Route 460 as proposed by VDOT. There may be a secondary entrance off Phoebe Pond Road. The Planning Commission is recommending that along the Phoebe Pond Road side, for the entire length of the property, a 15' buffer consisting of large deciduous trees planted every 50' on center (12 trees). Trees are to be 5' tall at the time of planting, 2 inches in diameter with an addition of a mixture of four small evergreen or deciduous shrubs be planted around each tree (about 48). Shrubs will have to be a minimal size of 3 gallon plants (about 18 inches tall). The Planning Commission stayed with the condition of either surface treating or asphalting of the parking areas within one (1) year. They felt one (1) year was a fair give and take time for them to get things done. The Planning Commission also changed the elevation of the lot and added a condition that average elevation of the lot not be altered plus or

minus three (3) feet from the pre to post construction. Basically, the lot elevation would remain the same as it is presently.

Mr. Craft questioned the elimination of three (3) feet off the bank.

Mr. Roark replied that it was the Kennon's goal to have this height so they would be visible from Route 460. The only place there would be considerable grading would be where the actual building will be placed.

The Planning Commission in recommending the landscaping, felt that the beautifying of the gateway was more in line with what the Comprehensive Plan stated was what needed to be done along this area, taking into account the Business Corridor and all of that. Not necessarily blocking those homes, but it will provide a visual distraction to the eye. Even if there is a secondary entrance on Phoebe Pond Road, there will not be as much commercial traffic on this road.

Mr. Armbrust totally agrees with the beautifying of this area, but is there any consideration on non-operable vehicles. More than two or three non-operable vehicles constitutes a junk yard. He thanks the Planning Commission for their recommendations but he is still concerned about the one (1) year to pave the premises and feels the dust will be a problem.

Mr. Conrad thanked the Planning Commission for their consideration of this issue and feels they have done a good job. We can disagree, but we cannot continue to playing a game and sending this back for further review. He feels that the undesirable site view will be dissipated as soon as the trees grow to maturity.

Mr. Armbrust still feels that the citizens wishes should be considered. He does not feel they should be given the period of one (1) year to asphalt the lot. But if this is what the Planning Commission is recommending, he will have to go along with it.

Mr. Craft feels that the asphalting needs to be done before the weather gets too cold and they cannot do this.

Mr. Carter stated that taking into account everything that has been stated tonight, he still feels that the dust issue should be taken care of, the residences were there first. He thinks they should definitely pave this area within six (6) months, not given one (1) year to do so.

Ms. Ferguson asked if the one (1) year period was from the date of approval or one (1) year from construction of the building, as these time frames could be totally different.

Mr. Roark stated that is something that should be considered. This is usually considered from the time of the issuance of the Certificate of Occupancy, as we do not know when they will start construction.

Mr. Armbrust made a motion, seconded by Mr. Craft, to approve the Planning Commission recommendation of **CUP-07006 – James W. Kennon Auto Sales,** with

the exception of paving or surface treating prior to opening. VOTE: Mr. Armbrust, aye; Mr. Conrad, nay, Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, nay. (3 aye – 2 nay votes)

9A. Purchase of Loader for Landfill:
Request for Bids for a new compact rubber tire articulated loader were advertised on September 23rd and September 30th, 2007. The deadline for submitting these bids was October 12, 2007 at 2:00 p.m.

On October 12, 2007, the bids were opened and read aloud at the Office of the County Administrator, located on Morton Lane, Appomattox, Va. Only one (1) bid was received: Carter Machinery Company, Inc., P. O. Box 3096, Salem, Va. 24153 in the amount of $48, 986.00.

After some discussion, Mr. Craft made a motion, seconded by Mr. Armbrust to accept the bid of $48,986.00 from **Carter Machinery Company, Inc**. for the purchase of a **compact rubber tire articulated loader** for use at the Appomattox County Landfill. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter then presented the **CONSENT AGENDA:**

10. Approval of Bills: Please approve bills for payment as presented.

11. Approval of Minutes: Please approve minutes of Public Hearing of 9/17/2007; Public Hearing of 9/17/2007; Regular Meeting of September 17, 2007; Public Hearing of October 1, 2007; and Regular Meeting of October 1, 2007.

SUPPLEMENTAL APPROPRIATIONS:

12. Sheriff's Department: Please appropriate by consent and supplement $359.22 to 3102-1002 – Overtime in the Sheriff's budge to pay for reimbursement received from the Express Lane and the school system for Officer's working security.

13. Sheriff's Department: Please appropriate by consent and supplement $1,378.37 to 3107 – 1004 and $114.18 to 3107-2001 for a grant received from DMV.

14. Library: Please appropriate by consent and supplement the following:

7301-5401 – Office Supplies	$487.90
7301-5411 - Books	161.12
7301-5414 – Pamplin Depot Library	310.59
7301-5415 – Summer Reading Program	500.00
TOTAL	$1,459.61

LINE ITEM TRANSFER:

15. Commonwealth's Attorney's Office: Please transfer by consent $5,500.00 from 1101-5804 Operating Reserve in the Board of Supervisors budget to 2201-7002 – Furniture & Fixtures in the Commonwealth's Attorney's budge to pay for storage cabinets in his office.

Mr. Conrad made a motion, seconded by Mr. Armbrust, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter reviewed the **INFORMATIONAL ITEMS:**

16. **Town of Appomattox:** Agenda for Town Council Meeting held on October 9, 2007. Also, information concerning possible voluntary water restrictions for the Town and other localities.
17. **Appomattox County Public Schools:** Monthly Financial Report for the Appomattox County Public Schools for the month ending September 30,2 007.
18. **Robert E. Lee Soil and Water Conservation District:** Minutes of their Board of Directors meeting held August 23, 2007 for your information.
19. **FY2008 Budget Reductions:** Detailed analysis of the FY2008 budget reductions that impact local governments.
20. **County Reports from Departments;**
    - Appomattox Animal Control
    - Appomattox Building & Housing
    - Appomattox County Landfill
    - Appomattox Parks, Recreation & Tourism Department
    - Planning
21. **Certifications Received:** George E. "Spud" Almond, Chairman of the Appomattox County Planning Commission has completed the Virginia Certified Planning Commissioners Program.

Mr. Carter would like to see a monthly progress report from the CSA Coordinator, Shannon Scott.

Mr. Conrad commented that with the budget reductions announced by the Governor, the services covered by these funds will still have to be provided. This expenditure will most likely fall on the local governments.

Mr. Carter next called for **Supervisor Concerns:**
Mr. Conrad reminded everyone that Ms. Susan Hogge, Legislative Fiscal Analysis on the Appropriations Committee in the House of Delegates will meet with Board of Supervisors and the School Board on Monday, November 26, 2007 at 7:00 P.M.

Mr. Conrad also asked Ms. Ferguson to check on the status of the request to have Appomattox County declared as a disaster area due to drought conditions.

Mr. Conrad also would like to recognize Rick Bulter and his son for their fire fighting efforts.

Mr. Carter discussed the Town Utility Committee Meeting and the letter the Town received from the State Health Department dated October 4, 2007 regarding the status of the wells supplying the Town of Appomattox with water. They requested that the Town conserve water and to consider supplementing the water supply. The Health Department has requested a reply by November 1, 2007.

Mr. Carter would like to see the Town look at the water line again. We need to move ahead together.

Mr. Garrett had talked about the possibility of having a Preliminary Engineering Report done to give the Town Council some idea of what direction to take.

Mr. Conrad feels that the Preliminary Engineering report is a good idea and it would answer some of the questions the Council members presently have.

Mr. Carter then reminded everyone of the upcoming meetings:

Monday, October 22, 2007
7:00 p.m.
Joint Meeting with Appomattox County School Board
School Board Conference Room

Monday, November 5, 2007
6:30 p.m.
Regular Scheduled Meeting
Community Center

Monday, November 26, 2007
6:15 p.m.
Regular Scheduled Meeting
Community Center

Mr. Conrad made a motion, seconded by Mr. Armbrust, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Samuel E. Carter

Samuel E. Carter, Chairman

On Monday, October 22, 2007, the Appomattox County Board of Supervisors held a joint meeting with the Appomattox County School Board at 7:00 p.m. in the School Administration Building located on Court Street, Appomattox, VA.

PRESENT (Board of Supervisors):
Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District

ABSENT (Board of Supervisors):
Shawn A. Armbrust – Wreck Island District
Russell H. Moore – Piney Mountain District

PRESENT (School Board):
Bobby Waddell, Chairman – Falling River District
Todd Pickett – Appomattox River District
Clifford Rhodenizer – Wreck Island District
Raymond W. (Bobby) Mitchell – Courthouse District
Amy Martin – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
Billy Perrow
Dorinda Grasty
Janice Marston
Martha Eagle
Brenda Goin

At 7:00 p.m. Mr. Waddell called the School Board to order and Mr. Carter called the Board of Supervisors to order.

Mr. Waddell welcomed everyone present and said that they would entertain questions as the meeting went along. He also expressed their appreciation for the support the Board of Supervisors has shown over the years.

Mr. Carter, on behalf of the Board of Supervisors, thanked the School Board for their hospitality and that the two bodies could meet together and continue the open communication lines that exists between them.

Dr. Aldridge Boone, Superintendent of Schools, stated he takes this meeting in the spirit for which it is intended. It is always his goal to work on relationships, not on to build them, but to maintain them.

Dr. Boone, presented a slide presentation of the State of the Schools entitled "Relationships Matter". This presentation covered topics such as Student Demographic Data; Graduates Information on the Class of 2007; Teacher Demographic Data; County School Accomplishments; Initiatives for 2007-08 and Challenges for 2007-08.

Dr. Boone also discussed the various accomplishments of each of the schools, including academic accomplishments, sports activities, and music programs.

Dr. Boone also informed the Board of Supervisors that Appomattox had won the 2007 Physiology, Health and Workplace Award of Excellence – the Gold Award. This means that we are pretty happy working here and get along with our co-workers. He thinks it is very important to know that we do have a School Board Office where everyone gets along together and this is projected to people when they visit the school offices.

A survey was done last year regarding the starting date of the school year. It was pretty much agreed within the community, among the students, the staff and the parents to have the school year start around the first part of August as opposed to starting around the last part. Everyone had their own particular reasons for this, but from the standpoint of school business, most of the educators felt it would be powerful to end up the semester before the holiday break, having the SOL testing, etc. done before returning in January. There will be a couple of considerationss to deal with before implementing this program possibly in 2009.

Mr. Conrad stated that the Board has enjoyed a good relationship with the School Board and commented on having Ms. Susan Hogge, Legislative Assistant here on November 26th at 7:00 p.m. at the Community Center to meet with the Board of Supervisors and if possible, the School Board. This program is not a short one but contains a lot of good information regarding the budget process between the BOS and the School Board.

Mr. Carter commented on changing the start of the school year. In looking at the cost analysis, it does not appear to be a lot of addition cost involved.

Mr. Craft asked when the children would get out of school. Dr. Boone answered the last part of May.

Mr. Carter asked Stephanie, with the Times-Virginian, to please re-iterate the accomplishments stated here tonight to the general public via the newspaper.

Ms. Martin wanted to thank the Board of Supervisor for the funds that have been given back to the School Board and they too enjoy the good working relationship between the two boards.

Dr. Boone discussed the situation with MRSA. This is something that the public usually is very concerned about. A big part of what the school system is doing, what it continues to do every day is try to answer questions from parents, and educating the public about the facts available. The Health Department has been wonderful in working with them. They have been dealing with this for about a month. At the present time, they have three children infected – one (1) at the primary and two (2) at the high school. They also have a "fogger" that is used to treat areas that may be suspect to this virus. Football equipment, locker rooms, etc., are cleaned every day. But the best prevention to this "bug" is good hygiene. THIS IS THE THING.

The greatest need is to de-stress the children. Every room has disinfecting products. The Health Department has provided a lot of good information. This will be a stressful situation for a while. The kids are doing OK, and the parents are following the treatments prescribed and keeping their children at home.

There was a lot of discussion regarding the problem. This is not a school problem, it is a community problem. Dr. Brennan, Infectious Disease Specialist in Lynchburg, had a very good video clip on WSET – Channel 13.

Mr. Conrad had a question regarding the policy on taking reading books home.

Dr. Marston will check on this.

At 8:10 p.m. Mr. Craft made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; and Mr. Carter, aye. (3 aye votes – 2 absent)

Samuel E. Carter, Chairman

On Monday, November 5, 2007 at 6:30 p.m., the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Community Center located on Community Lane, Appomattox, VA.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Shawn A. Armbrust – Wreck Island District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson – County Administrator
John G. Overstreet – County Attorney
John K. Spencer, Jr. – Assistant County Administrator
Johnnie Roark – County Planner

At 6:30 Mr. Carter called the meeting to order and gave the invocation. He then asked those present to join in the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the first order of business: **Setting of the Agenda:** There were no additions or deletions to the agenda.

Citizen Public Comment Period: This time is provided by the Board to allow citizens to appear to discuss issues that are of importance to the citizen.

There were no comments at this time.

Mr. Carter moved to the next item on the agenda: **ADMINISTRATIVE ITEMS:**

1. **Region 2000 Fire Investigation Agreement:** The City of Lynchburg is trying to establish a regional arson task force and has provided an agreement between the Region 2000 localities for your approval. Bobby Wingfield and Ms. Ferguson have been researching this proposal and feel that it will be beneficial to Appomattox County.

   Staff recommends entering into the agreement with the Region 2000 localities.

There were some questions regarding the necessity of this agreement. Ms. Ferguson explained that we have been working with the agreement for a number of years. However, the agreement has recently been revamped. She further explained that this agreement is very beneficial to the County.

Mr. Craft made a motion, seconded by Mr. Moore, to enter into the following agreement with the City of Lynchburg and the 2000 Region 2000 localities:

REGION 2000 FIRE INVESTIGATION AGREEMENT

This agreement made and dated the 5th day of November, 2007, by and between the County of Amherst, the County of Appomattox, the County of Bedford, the County of Campbell, the City of Bedford and the City of Lynchburg.

WITNESSETH

WHEREAS, Section 15.2-1726 of the Code of Virginia authorizes any locality to enter into a reciprocal agreement with any other locality for cooperation in the furnishing of police services; and,

WHEREAS, it is the desire of the parties hereto to enter in a reciprocal agreement in accordance with the provisions of Section 15.2-1726, and any successor statute of the Code of Virginia, for the purpose of establishing the Region 2000 Fire Investigation Task Force to cooperate with one another in the furnishing of police services for solving arson cases within the Region 2000 area: and,

NOW, THEREFORE, for and in consideration of the mutual benefits to be derived from this reciprocal agreement, the parties hereto covenant and agree as follows:

1. The purpose of this Agreement is to provide a structured framework and adequate resources to investigate large or suspicious fires and explosions. It is also the intent of the parties to work in mutual cooperation towards prevention of and delivery of specialized training regarding fire, and explosions. It is also the parties' intent to provide resources to pursue and expend grant and contribution monies for the expressed use of the Task Force as its discretion.

2. The mutual assistance authorized by this Agreement will be administered by an Executive Council, the membership of which will be comprised of one representative from each of the jurisdictions participating in the Agreement. The governing body of each jurisdiction will appoint a representative to serve on the Executive Council. The purpose of the Executive Council is to:
   a) Establish a Mutual Aid Plan for the investigation of fires, including specific provisions for administration of mutual assistance; and
   b) Supervise implementation of the Plan; and
   c) Report data and information of effectiveness of the Plan to Department Heads and other officials.

3. A Chairperson will be appointed by the Executive Council. The duties of the Chairperson are as follows:
   a) To monitor compliance with the Plan;
   b) To be responsible for compiling and reporting activities with regard to the Plan.
   c) To maintain a list of all member jurisdictions and resources available with regard to the plan.

4. The parties agree to provide assistance, when available to each other without charge. All parties shall provide the following support and equipment for use by its employees upon request, when available, to the parties of this Agreement.

a) One or more trained investigators with necessary equipment; and
b) A list of trained fire and explosion investigators employed by each party, and assurance of immediate notification to the Chairperson of any change in the list.
c) All equipment used in fire and explosion investigations shall remain the property of the providing jurisdiction.

Nothing contained in this Agreement shall be construed to compel any of the parties hereto to respond to a request for support when the jurisdiction to whom the request is made is of the opinion that its personnel and equipment are needed within the boundaries of its own jurisdiction, nor shall any request for assistance compel the requested jurisdiction to continue to provide support to another jurisdiction when its personnel or equipment, in the opinion of the requested jurisdiction are needed for duties within the boundaries of its own jurisdiction.

5. Any investigator shall be and remain the employee of his or her jurisdiction, when performing functions related to fire or explosion investigations in any requested locality pursuant to this Agreement. This will include pay and Workers' Compensation. Each locality shall be responsible for the acts and omissions of its employees and shall provide all insurance coverage it deems necessary for its employees.

The parties shall not be liable to each other for reimbursement for injuries to personnel or damage to equipment incurred when going to or returning from another jurisdiction. Neither shall the parties be liable to each other for any other costs associated with, or arising out of, the rendering of assistance pursuant to this Agreement.

6. The criteria for the activation of this agreement are as follows:
a) Fire or explosion related deaths or serious injury to firefighters or citizen: or
b) Fires or explosion of similar nature affecting one or more jurisdictions: or
c) Substantial property loss occurred; or
d) Serial arsonist/arson for profit activity; or
e) Fires or explosions that cross jurisdictional boundaries; or
f) Special circumstances that require investigative assistance.

7. No investigator or any equipment provided by any member jurisdiction under the activation of this Agreement shall be assigned to a member jurisdiction for a period longer than five days without the expressed approval of the Executive Committee and the providing jurisdiction's agency head.

8. The employees and officials of the parties to this Agreement who are acting pursuant to this Agreement shall have the same powers, rights, benefits, privileges, and immunities in each jurisdiction subscribing to this Agreement as such employees and officials have within the locality where he or she is employed.

9. The services performed under this Agreement shall be deemed to be for public and governmental purposes and all immunities from liability enjoyed by the local government within its boundaries shall extend to its participation in rendering assistance outside its boundaries.

10. This Agreement replaces the previous written Agreement by these parties under Section 15.1-131.3 of the Code of Virginia, dated September 13, 1979.

11. This Agreement shall remain in effect until terminated by all of the parties. Any party to this Agreement shall have the right to withdraw from the Agreement, with or without cause, by giving written notice by certified or registered mail to the other parties. Any withdrawal shall be effective upon receipt of the notice of withdrawal. Withdrawal by one party shall not terminate the Agreement with respect to remaining parties.

12. This Agreement may be amended by written instruments signed by authorized representatives of the participating jurisdictions.

WITHESSETH the following signatures on behalf of the participating jurisdictions.

Amherst County County Administrator	Campbell County County Administrator	Appomattox County County Administrator
City of Bedford City Manager	Bedford County County Administrator	City of Lynchburg City Manager

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

2. <u>Proposed Amendments to the Zoning Ordinance & the Erosion & Sediment Control Ordinance:</u> Johnnie Roark has been working for over a

year to update and revise the flood plain maps. Also, last month the Board was provided with a copy of the Erosion & Sediment Control Program review by the Department of Conservation and Resources and the necessity to update our ordinance. Ms. Ferguson requests that a public hearing be scheduled for November 26, 2007 at 6:00 p.m. to receive public comments on revising these ordinances.

Staff recommends scheduling the public hearing.

After a brief discussion, Mr. Conrad made a motion, seconded by Mr. Armbrust, to schedule a public hearing to present the Proposed Amendments to the Zoning Ordinance and the Erosion and Sediment Control Ordinance for November 26, 2007 at 6:00 p.m. Vote: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

3. **Request for Resolution to Support Legislation to Ban Plastic Bags:** The Isle of Wight Board of Supervisors is requesting that you adopt a resolution asking the General Assembly to ban the use of plastic bags. The proposed resolution is enclosed for your review.

Staff recommends considering the request and making a decision on the resolution.

Mr. Armbrust said he thought the Board should take no action.

Mr. Conrad reminded the Board that the request was just asking the legislature to give the locality the authority to make a decision on the matter.

After further discussion, Mr. Conrad made a motion, seconded by Mr. Craft to adopt the following resolution:

RESOLUTION TO SUPPORT
LEGISLATION TO BAN PLASTIC BAGS

WHEREAS, each year, over 14 million trees and 12 million barrels of oil are consumed for the production of plastic shopping bags; and,

WHEREAS, plastic bag entanglement is the direct cause of death of over 100,000 marine animals; and,

WHEREAS, the environmental impact of these bags is compounded by the fact that they are very difficult to recycle and they contaminate and hinder the recycling of other materials; and,

WHEREAS, these bags create significant litter problems along the roadways and farm fields in Appomattox County; and

WHEREAS, the litter and contamination have a negative impact on the aesthetics of the community and the livelihood of those families involved in agribusiness.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Board of Supervisors of the County of Appomattox, Virginia requests the General Assembly adopt legislation that would grant localities throughout the Commonwealth of Virginia the enabling authority to ban or discourage the use of plastic bags.

Adopted this 5th day November, 2007.

VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye, Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

4. **Appomattox County Habitat for Humanity:** The Appomattox County Habitat for Humanity is requesting that the Board waive the building permit fees for their next project.

   Staff recommends waiving the fee as you have done in the past.

Discussion centered around the fact that we have waived the building fee on Habitat projects in the past.

Mr. Craft made a motion, seconded by Mr. Conrad, to waive the building permit fee for the Habitat for Humanity House #7 as requested. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

5. **Dean Thompson, Chairman of the Historic Appomattox Railroad Festival:** Dean Thompson, Chairman of the Historic Appomattox Railroad Festival Board has contacted Ms. Ferguson expressing his appreciation for the Board's cooperation and support during the festival. He stated that the vendors were telling him that they did as much business on Saturday this year as they did in both days in previous years. Mr. Thompson also noted that Courtland Field was uneven and really needed a lot of dirt brought in to fill low areas. He continued that he frequently has dirt left from jobs that he would be happy to dump in Courtland Field if the County would purchase the seed, etc. to help level this area.

   Staff recommends considering Mr. Thompson's generous offer.

After discussion on the condition of the Courtland Field, the Board, by consensus elected to table this matter until a future date. Several Board Members expressed an interest to walk over the field to gain more knowledge of the situation.

6. **Holiday Lake 4-H Educational Center, Inc.:** A letter has been received from the Holiday Lake 4-H Educational Center Board of Directors requesting financial support to establish a maintenance fund to care for buildings at the center. The Board is making this same request of each of the 17 counties that presently use the facility. They are requesting a donation in the amount of $10,000.00

   Staff recommends approving this request and making a donation to support this fund. If you approve the request a line item transfer from 1101-5804 (Operating Reserve to 7109-5620 (4-H Educational Center) in the amount of $10,000.00 is enclosed for approval.

Mr. Ronnie Spiggle spoke on behalf of the 4-H Educational Center, saying that the money would be used for maintenance. He also reminded the Board of the valuable programs the 4-H Center offers and that it was an asset to tourism.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the request from the Holiday Lake 4-H Educational Center Board of Directors for a donation in the amount of $10,000.00 to be transferred from 1101-5804 – Operating Reserve to 7109-5620 – 4-H Educational Center. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next presented the **CONSENT AGENDA:**

7. **Approval of Minutes:** Please approve minutes of Joint Meeting with School Board on October 22, 2007,and Regular meeting on October 15, 2007.

8. **Approval of Bills:** Please approve bills for payment as presented.

9. **Resolution for Centra Health Bond Financing:** Centra Health has approached the EDA requesting the issuance of $7,500,000 in bank-qualified bonds. With the assurance of bond counsel that neither the EDA nor Appomattox County would be liable for this debt and after an advertised public hearing in front of the EDA, the EDA passed a resolution on October 22, 2007 approving this request. According to the IRS code, the Board must approve the bond package followed by approval from Lynchburg City Council because the bond proceeds will be used for facility improvement within the City of Lynchburg. Centra Health paid an application fee of $500 to the EDA and will pay a yearly administrative fee based on the total outstanding debt.

SUPPLEMENTAL APPROPRIATIONS:

10. **Sheriff's Department:** Please appropriate by consent and supplement $269.63 to 3102-1002 Overtime and $22.33 to 3102-2001 FICA in the Sheriff's budget for reimbursement received from the Federal Government for drug task force participation.

    Also, please appropriate by consent and supplement $15,000.00 to the Sheriff's DMV grant budget for Highway Safety Grant with DMV.

11. **Animal Control:** Please appropriate by consent and supplement $899.74 to 3501-5410 in the Animal Control budget for reimbursement received for overpayment of account.

12. **Landfill Collection:** Please appropriate and supplement $85.65 to 4203-3010 Site Maintenance in the Landfill Collection budget.

13. **County Administration:** Please appropriate and supplement $68,000.00 to 9104-7000 (Capital Outlay) for the purchase of adjoining property.

FUND TRANSFERS:

14. **911 Communications:** Please transfer from the Homeland Security Grant Fund $28,000.00 to the General Fund and supplement to 3606-7003 Communications Equipment in the 911 budget. This money is being used to purchase radio equipment for the Appomattox County Rescue Squad.

LINE ITEM TRANSFERS:

15. **General Properties:** Please transfer by consent $60.00 from 1101-5804 (Operating Reserve) to 4302-3002 (Professional Services) to pay for mowing at the animal pound.

Mr. Craft made a motion, seconded by Mr. Conrad, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes)

Mr. Carter next reviewed the **INFORMATIONAL ITEMS:**

16. **Appomattox Chamber of Commerce:** Invitation received from the Chamber of Commerce inviting the Board to their annual membership dinner.

17. **Town of Farmville:** Invitation received from the Town of Farmville to the Board for the dedication of the New Town Hall.

18. **Certifications:** Letter received from the Department of Taxation announcing that Donald K. Thomas of Wingate Appraisal Service is certified as the Professional Assessor to serve for the 2008 General Reassessment for Appomattox County.

19. **Department of Agriculture and Consumer Services:** Letter received from Department of Agriculture and Consumer Services informing the Board that Appomattox County has been designated as a primary natural disaster area due to losses caused by drought conditions during the 2007 crop year.

20. **Pamplin Community Center:** Letter received from the Pamplin Community Center thanking the Board for your continued support of their Community Center and your donation.

21. **Robert E. Lee Soil & Water Conservation District:** Minutes from the September 27, 2007 meeting of the Robert E. Lee Soil and Water Conservation Board of Directors.

22. **Departmental Reports:** Departmental Report for the month of September from Shannon Scott, CSA Coordinator.

23. **2-1-1 Virginia of Central Virginia:** Quarterly 2-1-1 Virginia of Central Virginia Problems/Needs Inquiries for our area.

24. **Appomattox County Public Schools:** Monthly Financial Report for the month of October 2007.

Mr. Carter the called for **SUPERVISOR CONCERNS:**

There were no concerns to be discussed at this time.

Mr. Carter reminded everyone of the **UPCOMING MEETINGS:**

Public Hearing on Ordinance Changes
Monday, November 26, 2007
6:00 p.m.
Community Center

Regular Meeting
Monday, November 26, 2007
6:15 p.m.
Community Center

Joint Meeting with School Board
Monday, November 26, 2007
7:00 p.m.
Community Center

Monday, December 17, 2007
5:00 p.m. – Dinner
6:00 p.m. – Joint Meeting with Extension Office
6:30 p.m. – Regular Scheduled Meeting
Community Center

At 7:00 p.m. Mr. Armbrust made a motion, seconded by Mr. Conrad, to adjourn. VOTE: Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (5 aye votes).

_____
Samuel E. Carter, Chairman

On Monday, November 26, 2007 the Appomattox County Board of Supervisors and the Appomattox County Planning Commission held a Public Hearing at 6:00 p.m. to receive comments on the proposed changes to the Appomattox County Zoning Ordinance.

PRESENT (Board of Supervisors):
Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT (Board of Supervisors):
Shawn A. Armbrust – Wreck Island District

PRESENT (Planning Commission):
George Almond, Chairman
Kevin O'Brien

Steve Conner
Al Sears (arrived 6:05 p.m.)
Susan Hudson
Calvin Tanner
Bryan Baine

ABSENT (Planning Commission)
Shannon Dews
Marvin Mitchell
Barry Morris

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
Johnnie Roark, County Planner
John G. Overstreet, County Attorney

At 6:00 P. M. Mr. Carter opened the Public Hearing and stated that the first public hearing would be to receive comments on :
"Amendment to the Appomattox County Code, Chapter 170- Zoning:
Section 170-57 FPO, Flood Plain Overlay District:
Repeal existing Section 170-57 et seq and replace with Section 170-57.1 et seq consisting of requirements to prevent the loss of property and life, the creation of public safety hazards, disruption of commerce, and governmental services, and the expenditure of public funds for the flood protection and relief and the impairment of the tax base. "

Upon completion of the Public Hearing on Section 170-57 FPO, Flood Plain Overlay District, we will receive public comments. If no one speaks on this ordinance change, we will then turn the meeting over to the Town Council to present their public hearing on amending the Town Code on Chapter 15, Flood Plain District.

Mr. Carter then asked Mr. Almond, Chairman of the Appomattox County Planning Commission to call the Planning Commission to order, after which the meeting was turned over to Mr. Roark, County Planner.

Mr. Roark stated the changes to this ordinance is an update based on FEMA for the first time since 1978. They have updated the maps and this probably will be the only update most of us will see in our lifetime. The most important change in the ordinance is in Section 170-57.5 where it gives an effective date of January 2, 2008 when the new map will become effective. Mr. Roark showed everyone an example of the new maps.

Mr. Carter then called for comments on Amending Section 170-57 FPO, of the Appomattox County Zoning Ordinance.

Mr. Conrad made a comment on the different coloring on the new map. Mr. Roark answered that the areas in blue were in the flood plain.

Mr. Roark asked for additional comments.

Hearing no further comments, Mr. Carter closed this part of the public hearing.

Mr. Carter stated that the County had advertised for another proposed amendment to the Appomattox County Code, Chapter 71 – Erosion and Sediment Control Ordinance. The public hearing on this item has been postponed and read the following statement: "As you know, the County's erosion and sediment control program has been under review by the Virginia Department of Conservation and Recreation (DCR) since early 2007. On November 15, 2007, the Virginia Soil and Water Conservation Board formally accepted the Corrective Action Agreement (CAA) with Appomattox County thus starting a 180 day period in which the County must become consistent will all aspects of the Virginia Erosion and Sediment Control Law. Recently, information provided by the DCR staff has conflicted with recommended amendments provided by DCR staff at an October meeting to review the Program Evaluation and the CAA causing a great deal of confusion as to what changes actually should be made.

County Staff continues to work with DCR staff to correct the ordinance shortcomings as identified in the CAA that was delivered during this Program Evaluation meeting. However, due to the miscommunication and confusion created by DCR staff, County staff feels that the best course of action is to postpone the public hearing scheduled for November 26, 2007 concerning the local Erosion and Sediment Control Ordinance amendments and delay any action to a later date."

At 6:10 p.m. Mr. Carter closed the Public Hearing.

Samuel E. Carter, Chairman

On Monday, November 26, 2007 at 6:15 p.m. the Appomattox County Board of Supervisors held its regularly scheduled meeting at the Appomattox County Community Center, located on Community Lane, Appomattox, VA. 24522.

PRESENT: Samuel E. Carter, Chairman – Courthouse District
Thomas H. Conrad – Falling River District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

ABSENT: Shawn A. Armbrust – Wreck Island District

ALSO PRESENT:
Aileen T. Ferguson, County Administrator
John G. Overstreet, County Attorney
Johnnie Roark, County Planner
Gary W. Tanner, Supervisor Elect

At 6:15 p. m. Mr. Carter called the meeting to order and asked Mr. Moore to deliver the invocation followed by the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the **Setting of the Agenda:**
There were no additions or deletions to the agenda.

Mr. Carter next called for the **Citizen Public Comments Period:** This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

Jack W. Burks, 1495 Horseshoe Road, Appomattox, VA.
As a long time resident of the county and a concerned citizen he wanted to comment on several issues: 1) we are entering an era of high taxes, we know it and we need to level the playing field on some of these and get rid of the people that are on a free ride. This topic is unpopular but he feels the County should consider a "squatters tax" for renters. They are people who do not pay any real estate taxes whatsoever, but they use all the advantages of the county, such as schools, etc. He does not feel that the real estate owners should have to carry this load on their backs. 2) From talking around, he knows that business operators pay a tax to the State so they can issue garbage bags, trash bags, fast food bags, beer cans, bottles, etc. and this lifts the businesses off the "hook" to trash our county. We need to adopt a "County Trash Tax" because when we go to manned sites, we will see more trash being dumped along the roadside. 3) We need to back off of Region 2000. We need to hire someone, an industrial lobbyist, that can sell our County, not just the Industrial Park. We have twenty (20) miles of river that possibly could be sold for big industry/business, to bring taxes to the county. The money we spend with Region 2000 could be better spent by having someone who knows the county to push for these industries. Our industrial park is just setting there, Bedford County opened up a new industrial park recently and already have a new business there. We need to re-think what we need to do for the county, we cannot keep hanging on the "old school of thinking". 4) He has been reading and listening about the "groaning" on the water line. Regardless of whether it is a water line or a reservoir or what, but if we ever have a bad year, and have to shut down water, what will we do about sewage. It takes five (5) times as much water to move sewage as it does for our daily taps. We need to settle the water issue one way or another.

Mr. Carter asked if anyone else wished to speak. Hearing none, he moved to the next item on the agenda.

Mr. Carter then presented the **ADMINISTRATIVE ITEMS:**

1. **Burn Ban:** The Governor has lifted the burn ban statewide and we have had a number of calls asking if the County is following suit.

   Recommendation: Staff does not have a recommendation at this time. Mr. Wingfield will give a report at the meeting.

Mr. Wingfield stated that he would recommend that the Burn Ban be lifted. There was quite a confusion when the State lifted its ban. We are not out of the woods yet, but we have had some rainfall, about five (5) inches in some parts of the County. We are

still about twelve (12) inches below normal. He would like to see more people compost instead of burning as much as possible. Another alternative is to place the leaves, etc. on your garden. Campbell County has lifted their ban, but Amherst and Nelson County still have their ban in place.

Mr. Conrad asked if Mr. Wingfield knew why Campbell County lifted theirs and Amherst County did not.

Mr. Wingfield replied that with the fire that Amherst County has on Tobacco Row Road and the mountainous terrain in the county, this is the driving force in keeping their burn ban in place. He is still concerned about developers who pile up brush, etc., and burn them.

After further discussion, Mr. Conrad made a motion, seconded by Mr. Craft, to lift the Burn Ban placed in effect on October 15, 2007. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent).

Mr. Carter, Chairman of the Board of Supervisors, then declared the Burn Ban that has been in place since October 15, 2007 be lifted effective November 26, 2007.

2. **Calendar for 2008 Board Meetings:** The calendar for the 2008 Board of Supervisors meetings has been set up. Would the Board like to continue with the meetings at the community center or move them to the new office space.

   Recommendation: Staff recommends considering the proposed meeting dates and letting the County Administrator know if there are any conflicts.

Mr. Carter stated that this calendar included the regular meetings, as well as those joint meetings with the School Board and Regional Dinners.

Mr. Conrad comments that due to his and Mr. Craft's habit of being out of town around the later part of November each year, there will be a conflict with the meeting being held on November 24th. He is asking if the Board could hold one meeting during the month of November.

Mr. Craft suggested that the November meeting be held on the 10th , with the next two meetings being held on December 1st and December 15th 2008.

Ms. Ferguson will make the above changes and the Board can adopt this meeting schedule at the Organizational Meeting in January, 2008.

Discussion moved to the question of continuing to use the Community Center, or to move the Board meetings to the Administrators new office.

Ms. Ferguson stated that there had been some discussion of holding separate meetings on the nights the Planning Commission has its meetings. The majority of the members preferred not to hold two (2) separate meetings.

It was the consensus of the Board to hold its Organizational Meeting at the County Administrator's Office. They will consider the place of the meetings at this time.

3. **Action for Public Hearing:** A public hearing has been held and comments received on the proposed changes to the Zoning Ordinance.

   Recommendation: Staff recommends amending and readopting the Appomattox County Zoning Ordinance.

Ms. Ferguson stated that the Planning Commission at its meeting tonight voted unanimously to approve the Amendments to the Appomattox County Zoning Ordinance.

Mr. Moore made a motion, seconded by Mr. Conrad, to adopt the Amendments to Section 170-57, FPO – Flood Plain Overlay District in the Appomattox County Zoning Ordinance. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter then called for action on the **CONSENT AGENDA:**

4. **Approval of Bills:** Please approve bills for payment as presented.
5. **Approval of Minutes:** Please approve minutes of Regular Meeting on November 5, 2007.

SUPPLEMENTAL APPROPRIATIONS:

6. **Sheriff's Department:** Please appropriate by consent and supplement $1,715.00 to 3102-1002 – Overtime in the Sheriff's Budget to pay for reimbursement received from the school system for officers working security at ballgames.

7. **Library:** Please appropriate by consent and supplement the following:

7301-5401	Office Supplies	$425.00
7301-5411	Books	152.09
	Total	$577.09

Mr. Conrad made a motion, seconded by Mr. Craft, to approve the **Consent Agenda** as presented. ROLL CALL VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Mr. Carter then reviewed the **INFORMATIONAL ITEMS:**

8. **County Reports from Departments:**
   - Appomattox Animal Control
   - Appomattox Building and Housing
   - Appomattox County Landfill
   - Appomattox Parks, Recreation & Tourism Department
   - Comprehensive Services Act
   - Appomattox County Victim/Witness Program
   - Appomattox County Public Safety

Mr. Craft commented on the report from Parks, Recreation & Tourism. He feels Ms. Dixon "hit the nail on the head" with her comments regarding Courtland Field. He thinks

if there will only be "foot traffic" no charge, but if there will be "heavy trucks, etc." maybe we should consider a charge to cover damages done, that the County has to pay to have repaired. Maybe we should consider a "fee" for those groups that are no non-profit.

9. **Certifications Received:** Both Ms. Ferguson and Ms. Phelps have completed the Intermediate Incident Command System training program NIMS ICS 300.

   Ms. Phelps has also completed the Certified Municipal Clerk's program. She has been working on this for some time and is now certified until October 29,2011. This is quite an accomplishment and Vicky is to be commended.

Mr. Carter asked Ms. Ferguson to briefly explain what was involved in getting the NIMS ICS 300 certification.

Ms. Ferguson remarked that sometime ago the Federal Government determined that there needed to be a uniform way of handling a disaster. Each individual locality in each individual State handled the disaster in an entirely different way. The language and the terms they used were totally different. Since we have received Homeland Security money, in order for the localities to continue to receive these funds, they tied this training as an incentive to the funding. She was mandated to participate and she has one more session to attend. Bobby Wingfield has attended almost all of them. Fire and Rescue had to attend 700, 800, 100, & 200. Chief Administrative officers and others had to attend the 300 and 400. All of our people, Sheriff's Department, Fire and Rescue, County Employee Supervisors, and Barry Watkins have all done the 700, 800, 100 & 200. It has been pretty interesting for all of us.

Vicky Phelps is our new Public Information Officer and we will be using her in a lot of ways. She has also finished this training. She will also begin attending meeting and taking notes, so Ms. Ferguson can take a more active role in the meetings. We have a lot of great things happening and our employees are taking various classes and we are proud of the fact that they are taking advantage of the CVCC Satellite and doing everything they can to better themselves and become better employees for the County. She feels they all should be commended. She appreciates the Board noticing and paying attention to these accomplishments. It is very important to them that you know that they are going above and beyond what is required of them.

Mr. Carter stated that the Board recognizes Ms. Ferguson and her entire staff on these accomplishments.

10. **Thank You:** We have received a thank you letter from the Holiday Lake 4-H Educational Center Board of Directors for your participation in their maintenance fund.

11. **Verizon Correction:** When the new telephone books were printed they failed to put 911 as the emergency number for Appomattox. Bobby Wingfield has been working with Verizon to correct this matter and they have finally issued replacement sheets with the correct information.

Mr. Carter thanked Mr. Wingfield for following through with this to the end.

12. **Deed of Gift:** We have received notice of a Deed of Gift from Frank Carlton Harris, Jr. and Edith Caldwell Harris to the Virginia Outdoors Foundation for the purpose of preserving open-space land.

Mr. Conrad commented on the Deed of Gift to the Virginia Outdoors Foundation. He found this article to be interesting reading. It deals with a lot of issues that we have been dealing with. He thinks it would be a good idea to conduct a program on Conservation Easements for the public.

Mr. Carter then asked if there were any **SUPERVISOR CONCERNS:**

There were no Supervisor Concerns at this time.

At 6:50 p.m. Mr. Carter called for a recess.

At 7:05 p.m. Mr. Carter called the meeting back into session.

Mr. Waddell called the School Board to order.

Mr. Conrad introduced Ms. Susan Hogge, House Appropriations Committee Staff.

Ms. Hogge gave a presentation on State Funding for Public Education., Quality of Standards, SOQ's Funding, Prevailing Cost Methodology, Benefits Per Pupil Funding, Sales Tax Revenue (Offsets Basic Aid Costs) and the Composite Index. (Please see Board Book File).

After a brief questions and answer session, Mr. Carter thanked Ms. Hogge for her informative presentation.

Mr. Carter then reminded everyone of the **UPCOMING MEETINGS:**

Monday, December 17, 2007
5:00 p.m. – Dinner
6:00 p.m. Joint Meeting with Extension Officer
6:30 P.M. Regular Scheduled Meeting
Community Center.

At 8:38 p.m. Mr. Conrad made a motion, seconded Mr. Craft, to adjourn. VOTE: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; and Mr. Carter, aye. (4 aye votes – 1 absent)

Samuel E. Carter, Chairman

On Monday, December 17, 2007 at 5:45 p.m. the Appomattox County Board of Supervisors held a joint meeting with the Virginia Cooperative Extension, at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia, 24522.

PRESENT:	Samuel E. Carter – Chairman- Courthouse District Thomas H. Conrad – Falling River District William H. Craft – Appomattox River District Russell H. Moore – Piney Mountain District
ABSENT:	Shawn A. Armbrust – Wreck Island District
ALSO PRESENT:	John K. Spencer – Assistant County Administrator John G. Overstreet – County Attorney Johnnie Roark – County Planner Gary W. Tanner – Supervisor Elect Vicky Phelps – Administrative Assistant Dan Cousins – Chairman – Extension Leadership Council Bruce Jones – Agriculture Extension Agent Bonnie Tillotson – 4-H Extension Agent Donna Tolley – Unit Administrative Assistant Wanda Evans- Adult EFNEP

At 6:56 p.m. Mr. Carter called the joint meeting to order and Mr. Dan Cousin, Chairman of the Extension Leadership Council introduced Mr. Bruce Jones, Appomattox County Agriculture Extension Agent.

Mr. Jones then gave a presentation on the Value Added Beef Initiative Program. Appomattox County along with three other counties have received money from the Tobacco Commission to improve beef cattle stock in the county, by genetic improvement, improved handling facilities and weaning lots.

Mr. Jones also discussed freeze branding as an alternative to ear tags and also, sheep as a lower investment animal.

The Pesticide Disposal Program collected 8,000 pounds of pesticides from Appomattox, Charlotte and Campbell Counties. Department of Agriculture will implement a container recycling program if asked.

Drought concerns were discussed.

Mrs. Wanda Evans –Adult- EFNEP Program, discussed the super pantry which works with about 200 families a year. The main focus of this program is on exercise as well as nutrition.

Mrs. Evans also discussed the youth EFNEP In -School Program which focuses on youth nutrition issues.

Mrs. Bonnie Tillotson gave a review of the various 4-H programs offered.
Camp CSI, Public Speaking, Shooting Education, Share the Fun, 4-H Talent Show, School Enrichment Program at the Middle school, In-School program at Elementary school and Summer Programs.

Mr. Jones then provided a video on black bears in Virginia.

The joint meeting was adjourned at 6:25 p.m.

Samuel E Carter
Samuel E. Carter, Chairman

On Monday, December 17, 2007 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia, 24522.

PRESENT:	Samuel E. Carter – Chairman- Courthouse District
	Thomas H. Conrad – Falling River District
	William H. Craft – Appomattox River District
	Russell H. Moore – Piney Mountain District
	Shawn A. Armbrust – Wreck Island District
ABSENT:	Aileen T. Ferguson – County Administrator
ALSO PRESENT:	John K. Spencer – Assistant County Administrator
	John G. Overstreet – County Attorney
	Johnnie Roark – County Planner
	Gary W. Tanner – Supervisor Elect
	Vicky Phelps – Administrative Assistant

Mr. Carter called the meeting to order at 6:35 p.m. and asked Mr. Moore to deliver the invocation followed by the Pledge of Allegiance to the American Flag.

Mr. Carter then called for the Setting of the Agenda.
Item -5A will be an additional item added to the agenda and Mr. Craft will report on the High Trail Activities.

Mr. Carter next called for the Citizen Public Comments. This time is provided by the Board to allow citizens to appear to discuss issues that are of importance or concern to the citizen.

Mr. Carter next skipped to Administrative item -#2 - Planning Commission appointment. Mr. Conrad asked that Administrative item #4-Appointment to Economic Development should be discussed at the same time as Administrative Item#2. After discussion, it was a decided by board that the appointment to the Planning Commission- Falling River District and the appointment to the Economic Development Authority would be tabled until Mr. Overstreet could research on whether a citizen could serve on both boards at same time. It was the consensus of the board to table these two items until the January meeting.

Mr. Carter then called on Ms. Jen Otey who was speaking in place of Dr. John McGee who was not able to attend meeting.

Mr. Carter asked Mr. Roark to introduce Ms. Jen Otey, Geospatial Project Developer from Virginia Tech.

Before introducing Ms. Otey, Mr. Roark briefly discussed the work session that staff had with Dr. McGee in May of 2007. Dr. McGee is the Virginia Geospatial Extension Specialist out of Virginia Tech. The board previously authorized staff to work with Dr. McGee to develop a "matrix" or "master plan" of establishing a Geographic Information System (GIS) for the county staff and ultimately county citizens.

Mr. Roark explained that Dr. McGee had made several visits to the county including a training workshop at CVCC-Appomattox Center in which about 20 county staff attended. In September Dr. McGee also held individual interviews with various departments to glean ideas from each department as to the usefulness of this tool in their daily job performance. From these activities Jen Otey who has been working with Dr. McGee on this project would like to formally present their findings to the Board of Supervisors.

Mr. Roark then introduced Ms. Otey and she presented a power point presentation on establishing a roadmap for GIS implementation in Appomattox County and on what GIS is, and how it could be beneficial to the county.

Ms. Otey explains that the matrix is simply meant to provide a path for achieving a full functioning GIS. The path which the County chooses to go down will depend on many factors, most notably funding. By accepting the matrix, the County is not committing to any funding.

Mr. Armbrust questioned who would be responsible in maintaining this program. Ms. Otey explained that Region 2000 would maintain the parcel update, but someone possibly a GIS coordinator would also be needed to keep this program updated.

Mr. Roark explained that a GIS Coordinator would be a long term goal and not the highest priority at this time. Most importantly at this time getting the hardware in place is a much high priority. As time goes by and data increases the use of this program by county departments would be in more demand and a GIS coordinator would be needed.

Mr. Roark explained that after talking with various departments they have found they would have uses for this program.

Mr. Spencer explains that basically, the county already has an established GIS management team in place and members consist of John Spencer, Johnny Roark, Bobby Wingfield and Sarah Henderson, We have found that Public Safety, Office of the Commissioner of Revenue and County Administration planning are the backbone or the foundation of the GIS system. This management team has been meeting to try in figure out the process they want to use, and to make sure we make use of the resources we currently have. Concentration is being placed on what hardware will be needed and the cost of this hardware.

Ms. Otey called for any questions, with no other questions; Mr. Carter thanked Ms. Otey for her presentation.

The next item of discussion was Administrative Item -#1- 2008 Calendar for Board of Supervisors. Discussion was heard and the following corrections should be made: Change Wednesday, January 7, 2008 to Monday, January 7, 2008 and Tuesday, February 4, 2008 changed to Monday, February 4, 2008.

Next item for discussion is Administrative Item -#3 - the Board of Fire Prevention and Code of Appeals and Local Board of Building Code Appeals appointment. Samuel E. Webber's term will expire December 31, 2007. Mr. Webber has agreed to serve another term on these boards with term expiring on December 31, 2010. Mr. Craft made a motion to reappoint Mr. Webber to a three year term seconded by Mr. Conrad. Vote: Mr. Carter, aye; Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye.

Mr. Carter then called for discussion Administrative item #5 – Old Oakville School - Mr. Moore stated that he had been approached by someone who is interested in tearing the Old School down but was not sure of what the cost would be. There was discussion on whether the county has a contract with someone currently in place for this action. Mr. Carter instructed Mr. Spencer to resurrect any paperwork that was previously done on this project.

Mr. Carter next asked Mr. Craft to report on the High Trail Activities. Mr. Craft reported that the High Bridge Trail State Park had $500,000 which was just enough money to go from Aspen Hill back to the bridge which is two miles. Delegate Watkins Abbitt was able to get the appropriation committee to put in another million dollars for this project. The Town of Farmville has agreed to fix up the part in town and the plan now is to take the west end of Farmville to High Bridge which will use one and a half million dollars in doing this. Once completed, this it will make it a lot quicker to get to Pamplin. Mr. Craft

reported Mr. Abbitt, is confident that High Trail will be in Pamplin within two years. There are currently some problems with Department of Environmental Quality. Mr. Abbitt has talked with Department of Environmental Quality and is hoping to expedite things.
The last phase of the project will be from High Bridge to Burkville.

Mr. Carter stated next stated that they needed to go back to Administrative Item #4- Appointment to the Economic Development. This was a two part subject. Laurie Harris and Walter Hancock's term will expire at the end of December. Mrs. Harris has expressed interest in being reappointed to another term; however Mr. Hancock does not wish to be reappointed. The Board previously decided to table the appointment to Mr. Hancock's position, but will need to reappoint Ms. Harris to a four term ending December 31, 2011.

Mr. Moore made a motion to reappoint Laurie Harris to a four year term ending December 31, 2011. The motion was seconded by Shawn Armbrust. Vote Mr. Carter, aye; Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye.

Mr. Carter next recognized Mr. Walter Hancock for his services and read a proclamation in recognition of his services as a member of the Economic Development Authority.

Mr. Carter next entered into the Consent Agenda.

Mr. Moore made a motion to approve the Consent Agenda as presented. The motion was seconded by Mr. Armbrust. Vote: Mr. Carter, aye; Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye.

Mr. Carter next presented the Informational Items and recognized employees with certificates and certifications of completed courses.

Mr. Conrad stated that the Board needs to be aware of information that is being presented in the 2008 VACo Legislative Program because this is something the board needs to be continually encouraging, because it does make a difference in helping us to effectively handle issues in our county.

Mr. Carter called for other discussion on informational items. Mr. Conrad stated that he would like an explanation of the school expenditure report for the month of July 2006-2007 compared to July 2007-2008. Mr. Spencer was directed to check into this for the Board.

Mr. Carter called for any further discussion on the informational items. Being no other discussion, Mr. Carter called for any supervisor concerns.

Being no Supervisor concerns, Mr. Carter next presented Mr. Armbrust with an engraved silver bowl for his dedication, motivation and leadership to the Board of Supervisors.

Mr. Armbrust expressed that it has been a pleasure working with County staff and Board members. He feels that no matter what issues the board had worked with they always looked out for the best outcome for all citizens of the county.

Next item on agenda will be to enter into a closed session under Code Section 2.2-3711A.1 Personnel. Mr. Carter called for a motion to enter into closed session. Mr. Marvin Hamlett of Times Virginian requested that the Board be more specific of reason for closed session.

Mr. Carter announced that the Board will take a short recess while Mr. Overstreet is briefed on the reason for closed session by Mr. John Spencer Assistant County Administrator.

Mr. Carter stated that after a brief discussion with the County Attorney J.G. Overstreet the closed session will be tabled until next meeting.

Mr. Overstreet next explained the reason for tabling this closed session. He feels that there are some elements that may be able to be discussed during open session.

Mr. Carter called for other items to be brought before the board.

Mr. Carter welcomed Mrs. Phelps to tonight's meeting in her new assignment.

Mr. Carter called for a motion to adjourn. Mr. Armbrust made a motion to adjourn with a second by Mr. Conrad. Vote: Mr. Carter, aye; Mr. Armbrust, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye.

Meeting was adjourned at 7:30 p.m.

Samuel E. Carter

Samuel E. Carter, Chairman

On Tuesday, January 7, 2008 at 6:00 p.m. the Appomattox County Board of Supervisors held their organizational meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT: Samuel E. Carter – Courthouse District
William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Mrs. Ferguson, called the organizational meeting of the Board of Supervisors to order at 6:30 p.m. Ms. Ferguson asked Mr. Conrad to deliver the invocation followed by the Pledge of Allegiance to the American Flag.

Ms. Ferguson opened the floor for nominations for Board Chairman for 2008.

Mr. Conrad nominated Mr. William H. Craft for Chairman. Ms. Ferguson called for other nominations. Hearing no other nominations, Ms. Ferguson called for a motion to close the nominations. Mr. Tanner made the motion to close nominations for board Chairman. Ms. Ferguson called for a vote on the motion to appoint Mr. Craft as Chairman of the Board of Supervisors for 2008. Vote: Mr. Craft, abstain; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Ms. Ferguson turned the meeting over to Chairman Craft.

Chairman Craft called for nominations for Vice-Chairman.

Chairman Craft made a motion to nominate Mr. Conrad for Vice-Chairman of the Board for 2008.

Chairman Craft called for a second to his motion to nominate Mr. Conrad for Vice-Chairman for 2008. Mr. Tanner seconded the motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, abstain; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft explained that the board needed to adopt the rules and regulations for the new year. Last year the Board adopted Roberts Rules of Order Newly Revised for small Board allowing the Chairman to make and second motions. Mr. Tanner made a motion to adopt the Robert Rules of Order Newly Revised. Mr. Conrad seconded the motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Conrad made a motion to re-appoint Mrs. Aileen Ferguson as the Clerk to the Board of Supervisors. Mr. Tanner seconded the motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft called for the setting of meeting dates. Dates have been published in the Times Virginian, if problems occur the Board will visit this again.

Chairman Craft called for instructions to the County Administrator.

Chairman Craft explained that Vicky Phelps will now be attending Board meetings and taking minutes to allow Mrs. Ferguson needed time to focus on the meeting at hand.

Mr. Carter asked the Board to evaluate the meeting dates and times again. Mr. Carter asked that the Board not consider any new business after 9:30 p.m. This will be for the regular board meetings and not budget workshops.

The next item of business was the Citizen Public Comment Period. There were no citizens to speak during this time.

Chairman Craft next called on Ms. Sara Henderson – Commissioner of Revenue to come before the Board.

Ms. Henderson addressed the Board to propose a change to the ordinance concerning tax relief for the elderly. The current ordinance for tax relief is 15,000 income, 90,000 financial worth and a maximum exemption of 350.00 per year. Ms. Henderson would like to propose an ordinance change to 20,000 Income, 100,000 financial worth and the maximum exemption stay the same.

Ms. Henderson provided the Board with a handout comparing Appomattox County's ordinance with surrounding county ordinances.

Ms. Henderson also went back to year 2006 and found that the total exemption amount was $29,556.31, with 153 applications. In year 2007 you had to file a new application. You must file a new application every three years. The exemption amount dropped to $23,694.96 with 132 applications. She feels the income has kept people from receiving this exemption. Ms. Henderson is suggesting to change the financial worth due to the reassessment.

Ms. Henderson next answered questions from the Board, she asked that the Board please consider her proposed changes. She also requested the public hearing be done as quickly as possible.

Chairman Craft then stated that a public hearing would need to be scheduled to receive public comment on these changes.

Ms. Ferguson stated that the public hearing would have to be scheduled for the first meeting in February due to time restrictions.

Mr. Carter made a motion to schedule a public hearing on February 4, 2008 at 6:15 p.m. to receive public comment on a proposed ordinance change for tax relief for the elderly. Mr. Conrad seconded Mr. Carter's motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next addressed Administrative Item #1 – Planning Commission appointment. Chairman Craft explained that this item was carried over from the December 2007 meeting, due to questions of citizens serving on two committees. Chairman Craft then called on Mr. Conrad to present his recommendation for appointment from the Falling River District to the planning commission. Mr. Conrad stated that he had spoken with and considered several people for this position, and discussed with Ms. Ferguson that he felt Chad Millner would certainly be advantageous to any action taken by the Planning Commission.

Mr. Conrad made the motion to appoint Mr. Chad Millner to the Planning Commission. Mr. Cater seconded Mr. Conrad's motion. Vote: Mr. Craft; aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The next item for discussion was Administrative Item #2 - Appointment to the Economic Development Authority. This item was also carried over from the December 2007 meeting. There were two applications to be considered for this appointment. Mr. Conrad stated that he feels both applications were complete and in good order. Mr. Conrad stated that he knows Mr. Harvey quite well and with his business being in the County feels that he has an interest in the future of this County, Mr. Conrad feels that he would do an excellent job.

Mr. Tanner stated that he also knows Mr. Harvey and stated that Mr. Rago has quite an impressive resume, and is sure he would do a good job; however he also feels that Mr. Harvey's experience will add to the leadership of this County.

Mr. Carter feels that both applicants are well qualified, but Mr. Harvey being a life long citizen and also owning a business within the County, Mr. Carter feels he would like to see the county grow.

Mr. Conrad made a motion to appoint Mr. Paul L. Harvey as a member of the Economic Development Authority for a term ending Mr. Tanner seconded Mr. Conrad's motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Next item for discussion was Administrative Item #3 - Old Oakville School. This item was held over from the December meeting to receive more information from the County Administrator. Ms. Ferguson stated that after speaking with Bobby Wingfield, who suggested that the County may want to hold onto the property for future use. Ms.

Ferguson explained that Mr. Wingfield specifically mentioned a future satellite site for fire and rescue or police may be needed by the County as we continue to grow.

Mr. Tanner expressed that he feels Mr. Wingfield has a valid concern in regards to the fire and rescue possibly needing a place for quarters in the future as the county grows. Campbell County is now faced with this dilemma.

Ms. Ferguson explained that there are two old wells on this site that will need to be properly capped off so no danger would be exposed to the community. The request for proposal would be to tear down the building and we will provide the dumpster and haul all debris. They would properly cap off both wells so there will no longer be a danger. After this is completed the County will then stabilize and reseed property and retain.

Ms. Ferguson stated that the decision has been made that the building would be demolished. She would also like a consensus of the Board on what to do with the property once the building is demolished. Does the Board want to hold on to the property for future use?

Mr. Moore stated that the property could also be used for extra parking for the voting precinct. This is a problem that needs to be looked into. Ms. Ferguson stated that she would look into this and prepare a proposal for the Board.

Mr. Tanner made a motion to accept staffs recommendation and retain the old Oakville property for future use. Mr. Conrad seconded Mr. Tanner's motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next introduced Mr. Harold Wingate, Wingate and Associates.

Mr. Wingate explained that they are currently in the fourth day of hearings. They are averaging 60 people in a day. We have about 4 people to assist everyone so there is not a long waiting time. They are making a real attempt to not turn anyone down by scheduling evening appointments.

Mr. Wingate stated that things are going very well and appreciates being given the opportunity to serve Appomattox. At this time he will answer any questions that the Board may have.

Mr. Conrad stated that he is receiving calls where the caller does not understand why their assessment may be one amount and their neighbor is not assessed in the same manner.

Mr. Wingate stated to send them to the Community Center to the hearings. It could be a mistake and they would be glad to speak with the owners and try to get things straight. Print outs have been placed at the Library and at Pamplin Library and also at the Community Center. We have had some citizens to come and look at the print out and

leave not needing to see anyone. Mr. Wingate stated that an appointment is not necessary. They will not turn anyone away within reason.

Mr. Wingate also stated that they have re-mailed over 400 assessments. They are working with the Commissioner of Revenue to get the correct addresses. Also, please let everyone know that if you have not received your notice, come to the Community Center and they can look things up for you.

Chairman Craft asked if there would be a make-up date. Mr. Wingate stated that he would see how the calls come in and they would try to do all that they can. It is very possible that some people will not get their assessment at all due to not having a correct 911 address.

Mr. Wingate stated that the board needed to appoint an Equalization Board of at least three members and no more than five members. With three members you will need someone who has expertise in appraisals, banking, assessment, background expertise. If you have five members you will need two with this expertise. Also, they will need to be appointed and have training.

Mr. Wingate stated again that they would do what they can to help those who have not received their assessments but according to code you mail to the most recent address in records. If those who missed the opportunity to come to the Community Center they would always be able to schedule an appointment with the Board of Equalization.

Mr. Wingate stated that you can set two dates. The limit for applications for Board Equalization can not be less than 30 days after they finish their hearings, and you can set the time that they will have to have applications in. Some boards of equalizations require applications in writing, but some just require getting their name and send out appointments and that is their application.

Mr. Overstreet stated that our ordinance is just setting up a deadline for applications that should be in no later than March to be heard by May.

Mr. Carter made a motion to schedule a public hearing at 6:00 p.m. on February 4, 2008 to hear public comment on enacting an ordinance establishing May 15, 2008 as the end of the term for the Board of Equalization. Mr. Tanner seconded Mr. Carters motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye :Mr. Tanner, aye.

Next item of discussion will be to appoint the Board of Equalization. The Board will need to appoint one person for each of the districts, but two of the appointments must be appointed according to Virginia Code Section 58.1-3374. "Chairman Craft feels that he would be able to appoint a member with the needed financial background. Mr. Conrad, Mr. Carter, and Mr. Tanner have someone who is interested in serving on this board, but they would not have the requirements as listed in this code section.

Mr. Moore stated that he has someone willing to serve, but they also would not have the needed requirements as stated in the Virginia Code Section 58.1-3374. Mr. Moore stated that he would check to see if he has someone who would fulfill this requirement and let Mrs. Ferguson know who it would be.

Mr. Carter stated that he would like to appoint Ben Marshall from his District. Mr. Conrad appointed John Archer and Mr. Tanner appointed Leon Moore. Chairman Craft stated that he would let Mrs. Ferguson know after he has spoken with his appointee the next day.

Being no further discussion on the appointment to the Board of Equalization. Chairman Craft next called on Mr. Bill Slagle to appear before the board.

Mr. Slagle stated that he is here to update the Board on the EDA activities and to answer any questions that the Board may have.

Mr. Slagle stated that in 2007 they continued to work with the State and regional partners to improve the economic well being of Appomattox County. There was a change in the name of the Economic Development Authority from the Industrial Development Authority because it best represents what this authority is about. The EDA decided to focus their attention to three major areas, energy, homeland security and warehousing or distribution. They continued their attention on the broadband coverage for the county as well as educational opportunities.

In February 2007 Mr. Slagle, Mr. Conner and Mr. Spencer made a presentation to the Economic Development Partnership staff in Richmond. This was coordinated by Lee Cobb from Region 2000 Economic Development Council. They feel they need to offer special assistance to Appomattox County as they feel we have been left behind. The EDA focus was outlined to them and information was provided on Appomattox Center for Business and Commerce.

The first opportunity to showcase the Appomattox Center in operation was in November. Through these visits they try to learn from the experts how to better market Appomattox.

Mr. Slagle explained that energy activity is a leader of the economic development partnership team. They visited Appomattox on several occasions. EDA through VA Tech hosted an information seminar on ethanol hoping for some possibilities but have later determined that it would not be feasible for this area.

Next Mr. Slagle reported on homeland security. The EDA are trying to attract some high tech industries and also provides needs for any one associated with homeland security. EDA have negotiated a lease in which we can recover some of the revenue on future equipment on the tower.

The EDA also worked with Centra Health to issue 7.5 million bank-qualified bonds for their new Cardiovascular building. The EDA will recover 1/8 of 1 percent of the outstanding balance as our payment for allowing use of this.

Mr. Slagle explained the website had been revamped and provided a link to the County website.

Mr. Slagle stated that the EDA are always looking at our strengths and weaknesses, opportunities and threats. Some strength's for the region would be open land, proactive Community College, excellent regional cooperation, number of institutions of high learning in area and nuclear and wireless industry clusters. Some known regional weaknesses would be lack of interstate highways, inconvenient air travel, incomplete infrastructure, regions name lacks geographic identifier. Some known strengths for the County would be a hub zone for federal contractors, a tobacco commission county, broadband and natural gas going thru the park. Some weaknesses for the County would be insufficient water capacity and water source, public controversies, sufficient qualified employees -especially for technical jobs.

Chairman Craft called for any questions for Mr. Slagle.

Mr. Tanner complimented Mr. Slagle and the Economic Development Authority for work that has been done with the Broadband. During my campaign this was a common theme.

Mr. Carter also thanked Mr. Slagle on behalf of the Economic Development Authority.

Next item for discussion is Administrative Items #4 -mechanical engineering and design services.

Mrs. Ferguson explained that the board needs to have a Mechanical Engineer and Design for the HVAC Controls Modification for Appomattox Courthouse. This is being done so the contractor who did the original work can come in and make the changes in order to update the system so that it operates in a proper manner. The contractor will not proceed until they have these documents in front of them. Mrs. Ferguson explained that she does not believe that we will need the exclusions which would be an additional fee. Mrs. Ferguson stated that she feels that the amount should not go over the proposed $4,100.00.

Mr. Conrad stated that not doing this is not a winning battle. If we have environmental issues you are going to have to rectify this situation no matter what. If you don't it will end up costing a lot more in the long run.

Mr. Tanner made a motion to proceed with the agreement between Master Engineers and Design Inc. for HVAC control modification for Appomattox Courthouse. Mr. Carter seconded Mr. Tanner's motion: Roll Call Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Next item for discussion is Administrative Item #5 – Letter of concern from several citizens. We have received a letter from several citizens on a concern with unoccupied mobile homes. Pictures have been provided. (pictures on file in the board file)

Mr. Conrad stated that he is aware of the mobile homes in the pictures and they are in his District. It also appears that the mobile homes in the pictures are occupied and not in that bad of shape. He feels it should be something that the Board can just look into, but does not feel that the board can tell a person that they can't live there. This is not something that can be done by the Board.

Mr. Carter stated that he feels this may be something that should be handled within their own subdivision ordinance or policies that are in place. He does not feel that this is anything that the county needs to get involved in.

Mr. Tanner states that some areas mentioned can be controlled by already in place ordinances within the county.

With no further discussion, this item will be tabled.

Next item for discussion is the Consent Agenda.

With no further discussion on the Consent Agenda, Mr. Tanner made a motion that the board accept the consent agenda as presented. Mr. Conrad seconded Mr. Tanner's motion. Roll Call Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Informational Items were presented by Chairman Craft.

Mrs. Ferguson also added that the report from the Recreation & Tourism Department was added to information before the meeting which was left on the table at each place setting.

Chairman Craft next welcomed Mr. Tanner to the Board and thanked the Board for having the confidence in him to elect him as Chairman for 2008. He stated that he would do the best he could with help from the staff, the Board and County Attorney. Mr. Craft looks forward to moving forward.

Mr. Conrad also thanked the board for electing him as Vice-Chairman and he would also do the best job possible.

Chairman Craft next called for supervisor concerns.

Mr. Carter stated that he wanted to reflect on the year 2007 major activities that the County engaged in such as the 911 Call Center, the Community Park work that is still ongoing, finalized membership in the Blue Ridge Regional Jail, Reassessment in process of being completed, CVCC Satellite Station opened. Windows and roof were replaced in Carver Price Museum, recycling rate met for Appomattox County, The Route 460

Corridor Study completed, the county website, the participation in the regional solid waste disposal, fencing and manning container sites. He feels that 2007 has been a very productive year.

Mr. Conrad stated he has an interest in attending the VML/VACo Legislative Day. Mr. Craft also stated he would also like to attend this activity.

Mr. Tanner thanked the Board members for making him feel welcome along with the County Administrator and all staff in the Administration building. He hopes to be a very vital part of this board.

Mr. Tanner also thanked Mr. Carter for his previous chairmanship and feels he did an excellent job and also Mr. Craft for his Vice-Chairmanship.

Chairman Craft next reminded everyone of the upcoming meetings and public hearings.

Chairman Craft read an invitation to the board to a retirement party for Mr. Monte Mays and also an open house at the 911 center celebrating one year of success and growth.

Chairman Craft called for other business.

At 8:15 p.m. Mr. Tanner made a motion to adjourn. Mr. Conrad seconded Mr. Tanner's motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

W. H. Craft

William H. Craft, Chairman

On Tuesday, January 22, 2008 at 6:15 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the public hearing to order at 6:15 p.m.

Chairman Craft explained that this public hearing was to receive public comment adopting an ordinance to provide for application and disposition deadline for the orderly and efficient processing of the equalization of real estate assessments. The deadline for applications is March with hearings beginning in May.

Chairman Craft called for other comments.

Hearing none, the public hearing was closed at 6:16 p.m.

William H. Craft, Chairman

On Tuesday, January 22, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center located at 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Carter to deliver the invocation. Then everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and then called for setting the agenda. There were no additional items to be added to the agenda.

Chairman Craft next called for citizen public comments. Mr. Craft explained the procedure for addressing the Board during the public comment period.

Mr. Tom Schmutz, came forward and gave his address as,1656 Beckham Road, Concord, Virginia. Mr. Schmutz addressed the board regarding his reassessment. He stated that his reassessment has increased 346 percent.

Chairman Craft asked if anyone else wished to speak.

Hearing none, Chairman Craft went into the first item on the agenda under Administrative Items which was Erosion and Sediment Control Specialist.

Ms. Ferguson explained that at this time Amelia and Nottaway are looking to participate jointly with Appomattox and possibly another locality in hiring someone to administer this program. The projected budget is $60,000 which our locality would have to contribute $20,000. DCR is requiring that the County make more inspections on those erosion and sediment control permits and there is no way we are able to get it all done. Mrs. Ferguson asked for permission to continue working with the other localities and bring back a formal agreement once everything is settled. Our goal would be to have an individual in each of the localities at least one day a week and then determine how much work is needed and maybe another half of day in the localities that there is a need. We feel that one day would take care of Appomattox County.

Mr. Carter stated that he thinks this is a great idea.

Mrs. Ferguson stated that they are also looking at the towns in each of the localities, because they are also under the same mandate at the counties.

Mr. Conrad stated that based on DCR's evaluation that was done at an earlier date, we had some short falls in the area of inspections.

Mrs. Ferguson explained that DCR was going to pressure us to hire an inspector and they were prepared to come and talk to the Board regarding this. She stated that staff felt that Appomattox County hiring someone full time was unnecessary.

Mr. Carter made the motion to enter into an agreement with other localities in hiring someone to administer our Erosion and Sediment Control Program. Mr. Conrad seconded Mr. Carter's motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the next item for discussion Administrative Item #2 – VML/VACo Legislative Day which is scheduled for February 7th. The County Administrator and Assistant County Administrator are planning on attending. Anyone wishing to attend please contact the County Administrator.

Chairman Craft called for further discussion on this matter.

Chairman Craft presented Administrative Item #3 – VDOT Six Year Plan. Mr. Thomas from VDOT has requested that the Board schedule a public hearing to receive comments on the proposed VDOT Six Year Plan for Secondary Roads.

Mrs. Ferguson explained that Mr. Thomas would be preparing a draft plan and submitting to our office within the next week. The Board would be given this draft for review before the public hearing.

Mr. Conrad made a motion to schedule a public hearing on February 4, 2008 at 6:00 p.m. at the County Administration Building. Mr. Tanner seconded Mr. Conrad's motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Next item for discussion was Administrative Item #4 – appointment to the Local Government Council. Mr. Carter has been serving on this council and since the chairman has rotated someone else will need to be appointed. Mr. Tanner has expressed an interest in serving on this council and the appointment does not have to be the chairman. Mr. Craft instructed Mrs. Ferguson to get Mr. Tanner times and dates for these council meetings.

Chairman Craft explained that the next item for discussion will be the Consent Agenda.

Chairman Craft called for any discussion on the Consent Agenda.

Mr. Tanner made a motion to accept the Consent Agenda as presented. Mr. Conrad seconded Mr. Tanner's motions. Roll Call Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the information items and called for any discussion. Being no further discussion Mr. Craft called for Supervisor Concerns.

Mr. Tanner asked the Board to keep land use as an open item to continue working on and feels it goes hand in hand with the reassessment. Mr. Tanner stated that he has been researching this matter and Mrs. Ferguson is currently working to help clarify some questions he has on the code regarding this issue. Mr. Tanner feels that when the board sets the tax rate it will be the best thing they can do to help the citizens. He would like to see the Board take a serious look at land use and work together to help the working farmers of this county. Mr. Tanner also expressed that the Board needs to also take a look at the conservation easement program.

Mr. Conrad expressed that Mr. Dan Herncall from his district is willing to serve on the Board of Equalization and would meet the requirements as stated in Code.

Mr. Conrad would like the County Attorney to address his question as to whether land use has to be considered in the year prior to reassessment?

Mr. Overstreet stated that something was brought to his attention tonight that may be an option if land use taxation is out until the next reassessment. He will research this and report back to the board.

Mr. Conrad would like to see a meeting scheduled where we invite the public to come and hear about conservation easements.

Mr. Moore stated that he would like to see a solution that would not be a burden on the citizens.

Chairman Craft feels that if the legislative would make a change, then we could do this at anytime.

Chairman Craft feels that six years is to long as we can see what kind of jump it took.

Chairman Craft next reminded the Board of upcoming public hearings and meetings.

Mr. Tanner made a motion to adjourn the meeting. Mr. Conrad seconded Mr. Tanner's motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Meeting adjourned at 7:30 p.m.

William H. Craft, Chairman

On Monday, February 4, 2008 at 6:00 p.m. the Appomattox County Board of Supervisors held a joint public hearing with Virginia Department of Transportation at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant
Mr. Don Austin – Resident Administrator -VDOT

Mr. Robert Brown – Assistant Resident Administrator - VDOT
Mr. Clayton Thomas – Contract Administrator- VDOT

Chairman Craft called the public hearing to order at 6:00 p.m.

Chairman Craft explained that the purpose of this public hearing would be to receive public comment on the proposed Six Year Plan for fiscal year 2008-09 through 2013-14 in Appomattox County on the secondary system construction budget.

Mr. Austin – Resident Administrator Appomattox VDOT explained he would accept comments on the temporary plan that was put together by Virginia Department Of Transportation showing the proposed expenditure of funds received for Appomattox County. Mr. Austin explained the total amount of funds for Appomattox County for FY2009 is $993,108. Final allocations for next year's budget will not be determined until June.

Mr. Austin explained in detail the Secondary System Construction Program elaborating on the amounts of money allocated for the previously projected county projects.

Mr. Austin explained that all federal money that has been received must be spent on federal eligible roads, which limits what roads this money can be spent on.

Mr. Austin explained that some money has been received for the bridge fund and they must obligate a certain amount of funds for bridges which VDOT determines to be a eligible for repairs or replacement.

Mr. Austin stated that all funds for FY09 are obligated.

Mr. Austin asked for comments from the Board and if they felt that any of the previously named priorities had changed.

Several Board members stated that they felt the priorities are the same as they were previously projected.

Mr. Austin called for any questions that the Board may have on this budget.

Mr. Austin called for request on new road improvements.

Chairman Craft stated that he had concerns with state Route 619, which Mr. Brown addressed and stated that the bridge was going to be replaced, but it was not eligible for paving.

Mr. Tanner questioned the travel count on Route 605. Mr. Brown stated that the count was 70 vehicles.

Chairman Craft called for further questions or comments for Mr. Austin or from the public, hearing none, Chairman Craft closed the public hearing at 6:15 p.m.

William H. Craft, Chairman

On Monday, February 4, 2008 at 6:20 p.m. the Appomattox County Board of Supervisors held a public hearing on proposed changes to the Ordinance for Tax Relief for the Elderly, at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant
Sara Henderson – Commissioner of Revenue

Chairman Craft called the public hearing to order at 6:20 p.m.

Chairman Craft explained that this public hearing would be to receive public comment on proposed changes to Section 147-10 Exemption for Elderly and Disabled Persons in accordance with Sections 58.1-3210 and 58.1-3506.3 Code of Virginia 1950, as amended.

Chairman Craft explained that the proposed changes would be to increase the total combined income from $15,000 per household to $20,000 per household, and also increase the financial worth from $90,000 to $100,000.

Chairman Craft called on Sara Henderson – Commissioner of Revenue, to give an outline of what these changes would entail and how someone would go about qualifying for this exemption.

Ms. Henderson explained the proposed changes and how the discount would be calculated.

Ms. Henderson stated that an application must be filed with the Commissioner of Revenue by May 1st to qualify for the tax relief. Ms. Henderson stated that it is a simple application that would have to be filled out showing your combined income including social security benefits.

Chairman Craft called for any questions for Ms. Henderson.

Mr. Carter and Mr. Tanner complimented Ms. Henderson on a job well done with collecting information for the Board and in trying to help more citizens to be able to receive this benefit.

Chairman Craft called for other comments, hearing none; the public hearing was closed at 6:25 p.m.

William H. Craft, Chairman

On Monday, February 4, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building located at 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Tanner to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and then called for setting of the agenda.

Chairman Craft explained that the County Administrator had submitted several items to be added to the agenda. The Highway Safety Program, the adoption of the Equalization Deadline Ordinance and Appointments to the Board of Equalization.

Chairman Craft called for other changes that need to be submitted; with no other changes Chairman Craft called for citizen public comments.

Hearing none, Chairman Craft called on Mr. Don Austin, Resident Administrator- VDOT to appear before the board to speak on the Highway Safety Program.

Mr. Austin explained that he and State Trooper Greg Smith would be addressing the Board tonight to present a challenge of the Governor to reduce highway fatalities in year 2009 by 100.

Mr. Austin stated that Virginia Department of Transportation, Division of Motor Vehicles and Virginia State Police have teamed together to communicate to citizens about driver safety.

Mr. Austin provided the Board with statistics concerning fatalities in Virginia and as of today there have been 57 fatalities where last year at this time there had been 70.

Division of Motor Vehicles has on record for Appomattox County the following highway fatalities: Year 2001 5-fatalities with 3 not wearing seatbelts; Year 2002 4- fatalities with 3 not wearing seatbelts; Year 2003 4- fatalities with 2 not wearing a seatbelt; Year 2004 3- fatalities with 1 not wearing a seatbelt; Year 2005 3- fatalities with 3 not wearing a seatbelt; Year 2006 1- fatality and they were not wearing a seatbelt; Year 2007 6- fatalities and no statistics for 2007 on wearing seatbelts are available at this time.

In year 2006 of the approximate 900 people killed in vehicle crashes approximately 400 were ejected and most likely not wearing a seatbelt.

Mr. Austin stressed that seatbelts are a key issue and this needs to be stressed to everyone while also being aware of what is going on around you when driving.

Mr. Austin stated that the ages involved in fatalities are from all age range.

Mr. Austin stated that basically the information that they are trying to get across to everyone is to wear seatbelts, avoid distractions; share the road with cyclist, motorist and pedestrians; never drink and drive and obey speed limits.

Trooper Smith stated that he has a greater fear of being run over on the highway than being shot because motorist are just not looking out for you.

Trooper Smith recited 46.921.1 of the Code of Virginia that states a driver should yield the right of way and reduce your speed when approaching stationary emergency vehicles on highways and also recited the penalties that are imposed for not obeying this law.

Trooper Smith challenged everyone at the meeting to stand beside him on any highway when he stops a vehicle and see how many motorists do not obey this law.

Trooper Smith stressed the importance of wearing seatbelts and gave an example of a vehicle crash that should have been completely survivable however, the driver was killed; one passenger had an amputation while another passenger now has the brain capacity of a child. None of the passengers in this vehicle were wearing seatbelts.

Mr. Austin also stated that when considering the budget that the Board may want to consider some safety issues and with the challenge of the Governor, VDOT will be looking at road shoulders making sure of no low shoulders. Mr. Austin reminded the Board if they are aware of any safety issues such as guard rails; signs, sight distance problems to please contact VDOT and make them aware of these issues and they will look at them to see what can be done.

Chairman Craft thanked Mr. Austin and Trooper Smith for their comments.

Mr. Carter stated that a prime example of making roads safer would be South Church Street and that accidents had been reduced considerably since the renovations.

Trooper Smith stated that State Police have highway hazard forms and if you see a safety hazard call State Police and they will take a look at the issue and turn in to VDOT.

Mr. Tanner thanked Mr. Austin, Trooper Smith and Robert Brown who has been helping him with a guardrail issue and also for the job they do.

Mr. Craft next called for Administrative Items. The first item of discussion will be Appomattox County seeking to participate with the Commonwealth of Virginia and other local governments in a public safety communications interoperability memorandum of understanding.

Mr. Overstreet stated that he had no legal problems with this memorandum of understanding and feels that if Mr. Wingfield is comfortable with the wording of this he is also.

Mr. Craft stated that there is no cost involved in this memorandum of understanding.

Mr. Conrad questioned if this would give Appomattox County the ability to communicate with everyone on a state level.

Mr. Tanner made a motion to adopt the memorandum of understanding with the Commonwealth of Virginia and other localities for public safety communication interpand Mr. Moore seconded this motion.

Chairman Craft called for further discussion, hearing none, Chairman Craft called for the vote. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Next item of discussion was Administrative Item #2 Budget Preparation Schedule for FY2009. Ms. Ferguson stated that all budget meetings scheduled would be held in the County Administration Building and the Public Hearing would be held at the Community Center. On March 10th the meeting will begin at the County Administration Building, and then move across the street to the School Board office while they present their budget and then return to County Administration Building.

Chairman Craft called for any questions or concerns with the budget schedule as submitted by Ms. Ferguson.

Ms. Ferguson stated if the Board had no problems with this schedule that the dates would be advertised.

Chairman Craft presented Administrative item # 2 – Region 2000 Services Authority. Mr. Craft explained that what needed to be done at this meeting would be approve the $27,000 to pay for the cost of preparing documents to include Appomattox County in the Regional Solid Waste Authority.

Mr. Conrad feels that in the long run this is going to save the County money, although he questions as to whether the Board will need to be attending other locality Board meetings as had to be done with the Regional jail.

Ms. Ferguson stated that the Board would not have to attend other locality Board meetings to gain approval to participate.

Mr. Tanner stated that at the Local Government Council meeting that he attended, everyone was looking forward to Appomattox County's participation.

Mr. Tanner made a motion to approve supplementing the $27,000 to the landfill budget to pay for the cost of preparing documents to include Appomattox County in the Regional Solid Waste Authority. Mr. Carter seconded the motion. Chairman Craft called for a roll call vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Next item for discussion will be Adoption of Equalization Deadline Ordinance. Mr. Carter made a motion to adopt the ordinance to provide application and disposition deadlines for the Board of Equalization to have hearings. Mr. Tanner seconded the motion with no discussion. Chairman Craft called for a vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Next item of discussion was Appointments to the Board of Equalization. Chairman Craft explained that the Board has named three members to serve in this capacity. Chairman Craft stated that Mr. Dennis Torrence, has agreed to serve from the Appomattox River District; Mr. Dan Herncall has agreed to serve from the Falling River District and Mr. Ben Marshall has agreed to serve from the Courthouse District. The Board still needs appointments from the Wreck Island District and Piney Mountain District.

Chairman Craft stated that when the other two members have someone who has agreed to serve in this capacity to notify Ms. Ferguson so that proper letters can be sent and training can also be set up.

Mr. Tanner stated that he has spoken with Mr. Monroe Dyes and he will serve from the Wreck Island District.

Chairman Craft next presented the Consent Agenda and called for any discussion.

Approval of Minutes

Approval of Bills

Supplemental Appropriations:

Sheriffs Department	3102-1001 -Salary and Wages	$ 296.66
	3102-1002 -Regular Overtime	4033.45
	3102-2001 -FICA	242.47
	3102-2002 -VRS	437.00
Virginia Domestic Violence Victim Grant		
	2202-1003 -Part-Time Salary	$40,000.00
Electoral Board and General Registrar		
	1301-1003-Election Official Wages	$2,500.00
	1301-3002-Professional Services	1,500.00
	1301-2401-Office Supplies	250.00
	1301-5501-Mileage	66.00
	1302-1003-Part-Time Salary/Wages	700.00

Mr. Conrad made a motion to accept the Consent Agenda and Mr. Tanner seconded the motion. Chairman Craft called for a Roll Call Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the information items and called for any discussion.

Ms. Ferguson stated that Ms. Dixon, Director of Parks, Recreation and Tourism has provided the Board a Virginia Travel Guide containing good information on Appomattox and also provided information from the Central Virginia Area Agency on Aging and a winter Recreation Schedule.

Chairman Craft next called for Supervisors Concerns.

Mr. Tanner thanked Ms. Ferguson for putting him in touch with Mr. Robert Brown from Virginia Department of Transportation who has been very proactive in helping with a guardrail issue on State Route 605.

Mr. Carter congratulated Ms. Anne Dixon and Ms. Becky Nix, after reading in the Saturday newspaper which reported on the increase of Tourism in the Town and County which equates to monetary funds being transferred to retail stores and businesses. Mr. Carter stated that the tourism aspect is growing and that is what we are looking forward to.

Mr. Conrad stated that based on the money that was going to be saved on the landfill; we should have money to correct what you see at the dumpster sites and eliminate all the trash you see along the roadway.

Mr. Conrad thanked the Board and County office for the condolences received during the death of his wife's father.

Chairman Craft next presented Mr. Carter with an engraved clock for his services as Chairman of the Board of Supervisors.

Chairman Craft reminded the Board of the next scheduled meetings and reminded the Board again of scheduled budget meetings.

Ms. Henderson next questioned the Board as to whether they were going to vote on the ordinance for the tax relief for the elderly.

Mr. Overstreet stated that the Board could vote on this at tonight's meeting.

Chairman Craft explained that earlier this evening the Board had held a public hearing on proposed changes to the ordinance for tax relief for the elderly.

ARTICLE V
Exemption for Elderly and Disabled Persons
147-12.Exemption on certain real estate.

A. (Amended 4-10-1981; 5-8-1991; 4-13-1984; 1-2-1996;) Taxation of the dwelling owned by and occupied as the sole dwelling of any person or persons who are elderly or permanently and totally disabled in accordance with the definitions cited above, and provided that the head of the household occupying the dwelling and owning title or partial title thereto has been a resident of Appomattox County for at least one (1) year prior to December 31 of the taxable year for which the request is made, is hereby exempted subject to the following restrictions and conditions:

(1) The total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling living therein and of the owners' relatives living in the dwelling does not exceed (twenty thousand ($20,000.00), provided that the first (Six thousand five hundred (6,500.00) of income of each

relative, other than spouse, of the owner or owners who is living in the dwelling shall not be included in such total.

Financial Worth shall not exceed $100,000.00 and the maximum exemption per year shall not exceed $350.00

Chairman Craft called for discussion on the proposed changes, after hearing no discussion; Mr. Tanner made a motion to adopt the proposed changes to the Ordinance for Tax Relief for the Elderly. Mr. Conrad seconded the motion. Chairman Craft called for a vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Carter made a motion to adjourn the meeting, Mr. Conrad seconded the motion. Chairman Craft called for a vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Meeting adjourned at 7:12 p.m.

William H. Craft, Chairman

On Tuesday, February 19, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Conrad to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and then called for setting of the agenda. Mrs. Ferguson stated that Board members had been given a new bill sheet which included poll workers.

Chairman Craft next called for citizen public comments. Chairman Craft explained the procedure for addressing the Board during the public comment period.

Mr. Tom Schmutz came forward and gave his address as, 1656 Beckham Road, Concord, Virginia. Mr. Schmutz addressed the Board regarding land use. Mr. Schmutz stated that his reassessment increased 346 percent. Mr. Schmutz also stated that there is no discount for conservation easements for local property taxes. Mr. Schmutz stated that 75 counties and all surrounding counties of Appomattox County have land use taxation in their counties. Mr. Schmutz stated that he has paid his taxes for the past 35 years and never felt such a disservice to the citizens of this County than what was done last year when the Board failed to enact land use.

Chairman Craft asked if anyone else who did not sign the signup sheet, wished to address the Board.

Hearing none, Chairman Craft asked the Board to move to Administrative Item #3 – Livestock Damage Claim. Chairman Craft called on Mr. Hackett, Assistant Animal Control Officer to come forward and answer any questions the Board may have.

Mr. Carter questioned how many animal carcasses were actually seen by Animal Control Officer and investigated.

Mr. Hackett stated that only one animal carcass was investigated by animal control. Mr. Carter questioned how many calves were reported killed. It was stated that Mr. Martin reported four calves were killed. Mr. Carter questioned if the County generally pays for animals that have not been seen by Animal Control. Ms. Ferguson stated that usually the County pays only for the animals that Animal Control have seen and investigated. She also stated that after the investigation if it is determined by Animal Control that a stray dog killed the livestock the county would pay, but if it is found to be someone's dog then the owner would pay for this animal. If the investigation determines that a wild animal killed the livestock then no payment is made. The County only pays for stray dog kills.

Mr. Hackett stated that a total of fourteen dogs were caught in a trap after the killing. Mr. Tanner stated that the killing could have been dogs or coyotes. Mr. Hackett stated that the calf's front leg was chewed in half and that is not usually a trait of dogs.

Mr. Conrad questioned Mr. Hackett about the number of dogs that were caught in the trap and also why the report turned in there was no signature from an Animal Control officer. Mr. Hackett stated that this report was not signed because Animal Control did not feel that this was a dog kill.

A trap was set after catching the fourteen dogs and that trap was totally destroyed. Animal Control felt that this could have been a mountain lion, bobcat or some type of wild animal.

Supervisor Craft called for other questions.

Mr. Tanner questioned if Animal Control had spoken with Mr. Martin about the wild animals. Mr. Hackett stated that Mr. Martin was aware that coyotes were in the area.

Ms. Ferguson stated that the livestock kill report has a place for value placed which is provided by the owner and also a value placed by the Extension Agent.

Ms. Ferguson stated that the $258.00 and $167.70 each are actual values approved by Extension. Total value of damages would be $761.10 for all the animals killed. The total amount requested by Mr. Martin is $850.00.

Chairman Craft called for further discussion.

Mr. Conrad stated that this was first reported in November, and questioned if there have been more complaints in that area. Mr. Hackett stated that there had been no more complaints since the last trap was set.

Mr. Carter stated that based on the evidence by Animal Control, the County cannot pay this claim based on past history. Mr. Carter stated that the County can only pay for dog kills.

Ms. Ferguson stated that Mr. Martin's claim is for four animals.

Mr. Tanner made a motion that the County pay for the one animal that was investigated by Animal Control and payment should be based on the livestock market value.

Ms. Ferguson questioned Mr. Hackett as to which animal carcass was investigated by Animal Control. Mr. Hackett stated Animal Control investigated the 200 lb Angus calf.

Mr. Conrad seconded Mr. Tanner's motion to pay for the one animal investigated by Animal Control in the amount of $258.00.

Chairman Craft called for a roll call vote: Mr. Tanner, aye; Mr. Carter, nay; Mr. Moore, aye; Mr. Conrad, aye; Mr. Craft, aye.

Mr. Roark next informed the Board that due to the applicant withdrawing the application that was scheduled for tonight's public hearing, there will be no public hearing. Mr. Roark stated that the applicant stated that they would reapply at a later date for a different location.

Chairman Craft next called Mr. Wingfield, Public Safety Director to appear before the Board to update the Board on fires that took place on Sunday, February 10, 2008.

Mr. Wingfield stated that there were three major fires in the County on Sunday, February 10, 2008. The fires were at Poor House Creek, Webb Mill and Forest Chapel.

Mr. Wingfield stated that February 10th was a statewide event, not just local. The fire department had to depend solely on local resources.

Mr. Wingfield stated that the department worked well together as a team and calling for mutual aid just did not happen, due to this being a statewide event.

Mr. Wingfield stated that the 911-Center received 354 calls within a ten hour period. Two additional employees were called in to work.

Mr. Wingfield stated the Trent Hatchery Fire was a dangerous fire. Mr. Wright's house a trailer and another old house were at risk. Luckily no occupied structures were lost. Also, citizens were made aware that there may be an evacuation. Fire Department wanted to be proactive and let citizens know so they could prepare.

Mr. Wingfield reported that there was one injury in the County which was in Pamplin at the Forest Chapel fire. Member of Pamplin Volunteer Fire Department lost footing and fell into fire and has seconded degree burns.

Mr. Wingfield reported that radio traffic was unbelievable, due to eight working fires that lasted all day. The fire that were worked were Poor House Road, Webb Mill, Forest Chapel Road, Trent Hatchery, Liberty Chapel, South Fork, Hollywood Road and Buckingham County. Pamplin Volunteer Fire and Appomattox Volunteer Fire responded to most all fires. There were a few smaller fires that only one fire department responded, but at the larger fires it was a mutual effort.

Mr. Wingfield stated that Mr. Godsey has assisted in getting the mutual channel up and running using the tower in the Industrial Park. If this type of emergency should occur again Pamplin and Appomattox would be able to talk with each other along with the sheriffs department.

Mr. Wingfield stated that citizens were a tremendous help during this time. Bulldozers from private contractors donated there time and machinery. The citizens who donated their equipment and time were Frankie McCormick, Dave Hackett, CW Vandergrift, Roger Franklin and John Harris. With the help of these private contractors and citizens it was a big plus for our department that day.

Mr. Moore questioned what started these fires? Mr. Wingfield stated that most of the fires were started from falling power lines due to the wind.

Mr. Tanner stated that this was a red flag day and it is critical that all departments to be able to communicate together especially during times like these. Mr. Tanner questioned that with Appomattox County now being able to talk to Pamplin and the different departments, would they also be able to speak with Concord? Mr. Wingfield stated that yes they would be able to communicate with other counties within the month.

Mr. Wingfield also stated that five years ago the Woodman of the World agreed to cook for the fireman during times like these and they came through with their promise. Several members of the Woodman went to Wilbun's to get food and Mr. Wilbun donated all food.

Mr. Wingfield stated that the Chief did activate Virginia Emergency Operations Center and requested additional help around 1:00 p.m. but canceled around 6:00 p.m. to allow the Counties with more of a need to receive the help.

Chairman Craft called for other discussion. Hearing none, the next item for discussion was Administrative Item #1- VDOT Resolution adopting the Secondary Six Year Plan.

Mr. Carter made a motion to approve the Six Year Plan for Secondary Roads (2009-2014). Mr. Conrad seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The next item for discussion was Administrative Item #2 – Agreement with Nottoway for Joint E&S Position.

Chairman Craft questioned Ms. Ferguson if a third part was interested in being in this agreement. Ms. Ferguson stated that another party may be added later. But at this time we need to move forward and get this agreement in place.

Mr. Tanner made a motion to enter into the agreement with Nottoway for a joint E&S Position. Mr. Conrad seconded Mr. Tanner's motion.

Mr. Carter commended Ms. Ferguson on a job well done and feels this is going to be a tax saver.

Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next moved into the Consent Agenda.

Approval of Minutes

Approval of Bills

Supplemental Appropriations:
Animal Control

3501-5410	Uniforms	$52.49
Library		
7301-5411	Books	$580.27
7301-5415	Summer Reading	50.00
7301-5414	Pamplin Depot Library	31.80
CSA		
5310-3001	Professional Services	$150.00

Line Item Transfers:
Board of Supervisors
Transfer $5492.00 from 1101-5804 -Operating Reserve to 1101-2011 -Workmen's Compensation.

911
Transfer $204.74 from 1101-5804 -Operating Reserve to 3606-5401 -Office Supplies

Chairman Craft called for any discussion on the Consent Agenda, hearing none; Mr. Conrad made a motion to approve the Consent Agenda. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for further discussion. Being no further discussion Chairman Craft called for a roll call vote: Mr. Tanner, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Conrad, aye; Mr. Craft, aye.

Chairman Craft stated that the appointment of the Board of Equalization has been completed and they attended their training on February 14, 2008. Ms. Ferguson stated that one member did not receive his notice about the training, so additional training time will need to be set for him. State has informed the judge on the other four individuals that proper training has been completed. We are waiting on the judge to appoint them. After the appointment from the judge a meeting schedule will be set.

Chairman Craft questioned the information on VDOT Public Notices. Ms. Ferguson explained that this is just information that VDOT is mandated to officially notify the Board.

Chairman Craft explained that he was going to skip to upcoming meetings. Chairman Craft stated that the meeting set for March 10th that is scheduled for 6:30 p.m. needs to possibly be changed to 6:00 due to having to meet with School Board at 7:00 p.m. All members of the Board agreed to change the budget session for March 10th to 6:00 p.m.

Chairman Craft stated that the March 24th meeting will be to meet with different Departments.

Chairman Craft next moved into Supervisor concerns.

Mr. Conrad stated that there are a lot of budget cuts coming from the state level and it is going to fall on the localities. Mr. Conrad feels this is going to be a difficult budget and that the Board will need to be very disciplined to make sure that we make appropriate cuts and will not have to raise the taxes. With no other supervisor concerns Mr. Conrad made a motion to adjourn the meeting. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Meeting adjourned at 7:25 p.m.

William H. Craft, Chairman

On Monday, March 3, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building located at 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District (entered meeting at 6:53 p.m.)
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Moore to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and then called for setting of the agenda. With no changes to the agenda Chairman Craft called for citizen public comments.

Hearing none, Chairman Craft addressed Administrative Item #1 – Erosion and Sediment Control Specialist. Chairman Craft called for any discussion on this item. Chairman Craft questioned if the employee would live in Appomattox County or Nottoway County. Ms. Ferguson explained that the employee can live in either county and the benefits that would be offered to the employee would be the benefits that that County pays. All expenses of the employee would be split between the two counties.

Mrs. Ferguson stated that both counties do have office space available for this employee.

Ms. Ferguson stated that applications for this position are available now and if the Board knows of anyone interested in this position they should send them in for an application.

Mr. Overstreet stated that along with the job description that we will need a further agreement with more specifics in it that Nottoway and Appomattox will need to agree on. Mrs. Ferguson stated that once the employee has been hired she will be coming back to the board with more specifics.

Mr. Moore questioned as to what has been done about soil and erosion in the past. Ms. Ferguson explained that we have been having Johnny Roark, Planner and Lonny Hamlett, Building Official to do inspections, but this is not sufficient.

Mr. Craft asked if Robert E. Lee Soil has anything to do with this and Mrs. Ferguson explained that they do the plan review.

Mrs. Ferguson stated that Mr. Roark has the certifications to do this, but neither he nor Mr. Hamlett the Building Official has the time that is required to do this job.

Mrs. Ferguson explained that once the Board approves this job description, a salary and grade range will be added to the County's Personnel Manuel.

Mr. Tanner made a motion to approve the job description as submitted. Mr. Carter seconded Mr. Tanner's motion. Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Moore, aye.

Chairman Craft explained that the Board needed to appoint someone to replace Mr. Wayne Lewis on the EDA Board of Directors. Chairman Craft stated that we previously had an application from Mr. Rago wanting to serve on this committee.

Mr. Carter made a motion to appoint Mr. Rago to the EDA Board of Directors and Mr. Tanner seconded Mr. Carter's motion. Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Moore, aye.

The next item for discussion was Administrative Item #4 Recycling/Disposal contract. Mr. Tanner questioned if there had been any face to face contact with anyone from this business. Mrs. Ferguson explained that there had not been any face to face contact, however; Ms. Knight has chosen this company to handle the recycling due to them being the only company that she has spoken with that will accept televisions. The current company we work with now accepts computer parts, but will not accept televisions.

Ms. Ferguson explained that a one year contract had been discussed with this facility and after that one year; the contract will be re-evaluated for additional years.

Ms. Ferguson explained that there is no cost to the County associated with this and they will not pay the County for any items that are received.

Mr. Tanner questioned whether this contract could be terminated if the need arose. Ms. Ferguson explained that three years was stated in the contract, but Ms. Rockefeller had talked with them and would only commit to a one year contract.

Mr. Tanner questioned where the trucks would be coming from to pick up these items from the landfill. Ms. Ferguson stated that she was not sure where they would be coming from, however the contract was sent from New Jersey.

Mr. Moore questioned where the location sites would be for citizens to drop off items. Ms. Ferguson stated that the drop off site would be at the landfill.

Mr. Carter made a motion to enter into a contract with eRevival for one year. Mr. Moore seconded Mr. Carter's motion. With no other discussion Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Moore, aye.

Chairman Craft called for a five minutes recess at 6:45 P.M.

At 6:53 P.M. Chairman Craft called the meeting back to order and Mr. Tom Conrad arrived at the meeting.

Chairman Craft explained that the next item for discussion would be the Consent Agenda.

Mr. Conrad made a motion to approve the Consent Agenda and Mr. Tanner seconded this motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Consent Agenda

Approval of Minutes

Approval of Bills

Supplemental Appropriations:
2107-1001-Salary-$1.00
2107-2001-FICA- $8.00
2107-2002-VRS-$300.00
3102-1002-Regular Overtime-$1,758.23
3102-2002-VRS-$4,179.00
3102-2005-BCBS-$1,745.00
3104-2001-FICA-$1.00
3104-2002-VRS-$351.00
3301-3001-Hospitalization-$55,000.00
3301-3009-Housing Inmates-$75,000.00

Clerk of Circuit Court
2106-7001-Equipment-$2,105.55

Virginia Cooperative Extension
8303-1001-$11,134.70

Four for Life Funds
3203-5607- $1,185.27

Animal Friendly License Plates
7109-5631-$186.83

Line Item Transfers
Sheriffs Department
3102-1004- to 3102-1002-$106.11
3102-3010 to 3102-1002-$10,000.00

Chairman Craft explained the next item for discussion would be Administrative Item #2 Property and Liability Insurance Coverage. Chairman Craft explained that a decision needed to be made tonight.

Ms. Ferguson explained that Mr. Conrad had spoken with her earlier today and had some questions concerning the self insured program with VACo. Ms. Ferguson stated that we can take more time in getting this information since we currently have a temporary rider policy with Cabell in effect until a decision is made. There will be no loss of coverage while we are getting this information.

Mr. Conrad stated that we have been covered by Cabell for years now and they have been more than adequate to take care of any situation that has occurs. Mr. Conrad states that there are counties that are with the self insured program; however he does have some questions and would like them answered before the Board makes a decision. Mr. Conrad would like to see the County go the cheapest route as possible but at the same time that if we are in a situation there will be no surprises. Mr. Conrad stated that if Ms. Ferguson could take a couple more weeks and research this it will give the Board the knowledge to make a good prudent decision.

Ms. Ferguson stated that Ms. Heizleman has been working with the County on this program and providing us with needed information and feels confident that she will be able to give her some contacts.

Mr. Conrad instructed Ms. Ferguson to go forward and discuss this with the different localities and provide information to the Board at the next meeting.

Chairman Craft stated that it would be the census of the Board to postpone this item until next board meeting.

Chairman Craft called on Mr. Richard Martin to appear before the Board to discuss a livestock kill.

Mr. Martin explained that he felt that things did not happen to him in a business manner regarding a livestock kill. Mr. Martin stated that he was not aware of the Board paying him anything for a livestock kill until he received a check in the mail with no letter of explanation.

Mr. Martin stated that the first thing he knew about the payment was what he read in the newspaper. He felt something should have been said to him or any other farmer so that they would be aware of what was going on.

Mr. Martin explained that he wanted to tell what he felt happened. Mr. Martin explained he had lost seven Angus calves, one was lost with a birthing problem, the other six calves he feels definite that four of them died due to wild dogs. On one occasion he actually saw the dogs run from the area trying to take the animal with them. On three occasions his son saw the same thing, once his son saw dogs around a calf that had given up just laying down and could not get up from fighting the dogs.

Mr. Martin stated that he feels that Mr. Martin and Mr. Hackett did the best they could do with what they have to work with.

Mr. Martin stated the traps that were broken into had small holes in them. They are put together with small clips; he stated you could take your foot and kick one out very easily. He feels that Animal Control needs better traps for big dogs.

Mr. Martin also wanted the Board to know that the last dog killed on his property was a pit bull that could have bit you in half anywhere he wanted.

Mr. Martin explained that his neighbor lost five or six fifty pound pigs. The pigs were chewed on and tore up and everyone tried to convince them it was a mountain lion that did this. Mr. Martin states that there is no doubt in his mind that it was these wild dogs.

Mr. Martin stated that his neighbor has several small children and that he was thankful that these dogs did not bother these children.

Mr. Martin stated that six adult dogs were caught and they even brought one of them to the landfill. Four of the dogs caught had collars with no name. We have a lot of people who move away from here and leave their dogs and the dogs are hungry stated Mr. Martin.

Mr. Martin would also like to address the coyote issue. Mr. Martin does not feel that coyotes are a problem in this area.

Mr. Martin feels that his other calves were not killed due to Mr. Martin and Mr. Hackett being able to get rid of the dogs.

Mr. Martin stated that he came here tonight for one reason for the Board to pay him what he ask for and if you can't do that he was returning the check that was previously sent to him.

Mr. Martin stated that his loss would be $3500 when summer comes and he sells calves. Each calf would have brought him about $500.

Mr. Martin stated that there is still one dog left, but it is on someone else's property. They have warned this land owner.

Mr. Martin thanked the Board for their time.

Chairman Craft explained that the payment was for the one calf that was actually seen by Animal Warden. Chairman Craft explained that if the Board felt that coyotes killed his calves, no payment would have been made.

Mr. Martin stated that there is no coyote problem in this area and he lost six calves, only ask the Board to pay for four of them and he felt this was fair. Mr. Martin stated that he has been farming since 1958 and never lost this many calves. He feels confident that the calves were killed by dogs.

Mr. Conrad questioned Mr. Martin about not having evidence of any calves other than the one that was seen by Animal Control. Mr. Martin stated that there was no evidence because the dogs were eating the evidence. Mr. Martin stated that he did not even realize he had a dog problem until after he had lost three animals.

Chairman Craft next addressed the informational items.

Chairman Craft next explained the Citizen Input Survey that the Planning Commission has put together. Chairman Craft explained that we are gleaning for information and may receive some constructive criticism also.

Chairman Craft called for any discussion on the VDOT Chapter 527 Information. Ms. Ferguson stated that she planned to attend the March 19th Session in Lynchburg.

Chairman Craft next called for Supervisor Concerns.

Mr. Conrad stated that he would like to address some concerns regarding the Planning Commission. He feels that these 10 people should be representing the entire County. However, he feels a fair amount of this committee are basically concerned with issues that concern the Town itself and as a result of this a lot of the planning that is done is centered around what the Town thinks is best for it and not County. Mr. Conrad feels a lot of changes are going on in the County and he feels the Board should look are reducing

the amount of people on the Planning Commission and basically operating with a reduced Planning Commission for the County within itself to serve our interest at this time. Mr. Conrad would like the Board to look into this to see if it would be feasible and see if it would benefit the County as a whole as far as conflicts with planning for the future.

Chairman Craft stated that some members of the Planning Commission think that the Planning Commission should be separated between Town and County.

Mr. Conrad stated that is basically what he is saying that the Board needs to look at.

Chairman Craft next went over the scheduled meetings and budget sessions.

Mr. Tanner made a motion to adjourn with Mr. Conrad seconding the motion.
Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:17 P.M.

William H. Craft, Chairman

On Monday, March 10, 2008 at 6:00 p.m. the Appomattox County Board of Supervisors held a budget session at the Appomattox County Administration Building located at 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant
Sara Henderson – Commissioner of Revenue

Mr. Craft called the budget session to order and after a moment of silence the meeting was turned over to Ms. Ferguson.

Ms. Ferguson explained that she had given the Board the revenue projections and if they have any questions they could ask Ms. Henderson.

Mrs. Ferguson explained that Ms. Henderson has calculated the revenue as it is now and at the bottom of the page is the equalized rate calculated which is at 42.5 cent per 100 for real estate.

Ms. Ferguson also stated that Ms. Henderson has separated the portion of personal property that actually comes directly from individuals and then the portion of reimbursement that comes from the state which is that PPTRA. Ms. Henderson has also broken out the county license tax which is normally lumped in with another figure.

The personal property and license tax abatement has been subtracted from the revenue. Ms. Ferguson stated that these were the main changes in the revenue and also noted that Ms. Henderson has changed the format just a little because she has added a few things that are not normally seen on the revenue projections.

Ms. Henderson explained to the Board about the abatements which are so high and the Commissioner of Revenue has no control over.

Ms. Henderson states that this abatement value is usually not on the revenue projections, but she feels that is something that needs to be considered.

Ms. Ferguson explained that the abatement previously had been put in the revenue, because she was not aware of the abatement. Ms. Ferguson explained having this information gives you a truer picture of what the revenue will be.

Mr. Craft questioned Ms. Henderson on the tax relief for the elderly and if they had received many applications for this. Ms. Henderson stated that she is getting applications in and there are a few new applicants but not many.

Ms. Ferguson explained that what the Board had received in the projected revenue was calculated on the tax rate at 46 cent per 100.

Ms. Ferguson explained that when you change the real estate rate because of the assessment the revenue goes down almost half.

Ms. Henderson explained that all mobile homes are listed at the real estate rate.

Ms. Ferguson explained that due to state reductions the revenue has been reduced by five percent.

Ms. Ferguson explained the revenue highlights are that real estate is calculated at 46 cent per 100, the reduced reimbursement for constitutional officers by five percent and included a reduction of personal property for abatement.

Ms. Ferguson next explained the budget highlights is a four percent pay increase for all county employees and constitutional officers and their staff with a few exceptions which is the registrar which includes an additional amount.

Mr. Conrad stated that several Electoral Board members have contacted him and want to give the Registrar an increase. He explains that she has worked for sixteen years and has never ask and never been granted an increase except through the state. Mr. Conrad stated that compared to surrounding counties she has worked longer, and the surrounding counties have given increase within the County itself added to what state had given.

Mr. Conrad stated the Electoral Board stated that the Registrar does outstanding work and they are looking for her an increase to bring her in line with the surrounding counties.

Ms. Ferguson stated that initially she had heard that the state was not giving any salary increases, she is now hearing that they are considering a two percent salary increase. Ms. Ferguson stated that she just wanted to remind the Board that this would be all local money none from the state.

Ms. Ferguson explained that the County can anticipate an eight percent increase in health insurance.

Mr. Conrad stated that he noticed that in some departments it went a lot lower than last year. Ms. Ferguson stated that is due to last year we added a certain percentage and when the actual amount came in it was lower than expected and instead of adjusting the budget this was left in the line items and could not be spent on other items.

Ms. Ferguson stated that the actual cost of health insurance will not be know until possibly August and the budgets may be adjusted at that time.

Ms. Ferguson next explained that a new department has been created for IT. Ms. Ferguson noted that a lot of the figures for this budget have been pulled from other departments. Ms. Ferguson stated that John Spencer would be able to better explain this budget.

Mr. Conrad questioned in developing this IT budget are we hiring an employee. Ms. Ferguson stated that a new person would not be hired. John Spencer will continue to be over this department with the help from Mr. Wingfield, Mr. Roark and Mr. Watkins. Ms. Ferguson stated that there has been some money put in this budget to hire outside help for the things that our employees would not be able to do.

Mr. Conrad questioned if we would be able to meet the demands of anything that would come up with amounts that has been budgeted.

Ms. Ferguson next explained that another department has also been added for Erosion and Sediment Control. Ms. Ferguson explained that half of these expenses will be coming back to the County's revenue from Nottoway County.

Ms. Ferguson also mentioned that Juvenile Detention Budget has increased and there is no way to determine the amount needed as this is determined by the Judge. Also, the

CSA is changing their guidelines. State is not changing their services but they are changing as where the children get their services. We have no place in Appomattox to serve these children, so they have to go out of the area. The County's portion of expenses is .2438% with the State picking up the balance.

Mr. Conrad feels that due to the complexity of this, State is going to turn it over to the locality to handle and fund.

Ms. Ferguson explained that the Planning and Building Department have been working on getting a new building permits system which would be $50,000 this year and next year.

Ms. Ferguson explained that legislature has added $5,000 to the Forestry Department that the County will have to pay.

Ms. Ferguson next reviewed the entire revenue budget. Ms. Ferguson reminded the Board that this revenue is based on tax rate of .46 per 100 minus the tax relief for the elderly and the abatement.

Mr. Carter asked what $.01 cent of tax rate would equate to. Ms. Ferguson responded with $126,797.

Ms. Ferguson explained to Mr. Tanner that figures used for the revenue projections are very conservative.

Ms. Ferguson continued to review the revenue by each department.

Chairman Craft adjourned the meeting at 6:45 P.M. to attend a joint meeting with the School Board at 7:00 P.M.

Chairman called the meeting back to order at 8:10 P.M. It was the consensus of the Board to stop budget sessions by 9:00 P.M.

Ms. Ferguson continued to review the revenue by each department.

Ms. Ferguson stated that Josh Hackett has been a real asset to the adoption program.

Ms. Ferguson stated that closure on the landfill will not start until next February and will continue to put waste in the cell as we have been doing, so fees will be left in this budget for this. Ms. Ferguson explained that the cell has 6-9 months left and there was an option to close now, but staff feels this would be a waste of air space so an extension was asked to keep the cell open until filled.

Ms. Ferguson stated that she has reduced the revenue in the constitutional officer's budget due to state reducing their reimbursements. Ms. Ferguson explained that the

County pays on salaries what the Compensation Board approves with the exception of sheriffs department which the County supplements $1000 for each employee.

Ms. Ferguson explained that Ms. Williams, Circuit Court Clerk will be using technology trust funds to help purchase a large copier by paying the first year. This copier will be shared by the County Administrator's office, Commissioner of Revenue and Circuit Court Clerks office.

Ms. Ferguson stated that the fire program money seems to be increasing each year. This money is shared with Pamplin and Appomattox.

Mrs. Ferguson stated that tobacco grant funds are $571,401 that can be accessed next year. Ms. Ferguson stated that this figure is from the $250,000 received this year and we will not use before the end and an additional $250,000 and $71,000. All of this money will be used on the CVCC Satellite. Ms. Ferguson also stated that this money would allow us to fix some of the worst parts of the roof on the hallway from the third grade wing.

Mr. Carter questioned what had happened with HDH helping with the roof. Ms. Ferguson stated that HDH will provide the needed roofing materials to fix roof over the gym, but we need a contractor to do the work. We also had to check with Building Official to make sure the roof did not have to be completely removed prior to replacing roof. Mr. Hamlett has made his determination on this. Mr. Hale from HDH is currently looking for a contractor to put this roof on.

Ms. Ferguson explained that the Victim/Witness program is being reduced by the State so some reductions have been made to her budget.

Ms. Ferguson explained the transfers in revenue to the Board.

Mr. Conrad stated that the Board needed to go thru the expenditures and try to give the School Board most of what they have requested.

Ms. Ferguson stated that historically we do not give them anything above what is required by state.

Mr. Craft questioned if the school had any carryover money. Ms. Ferguson stated they do not have any carryover money.

Mr. Conrad stated that we are helping them with taking over the debt service. Ms. Ferguson stated that really it hurt them, because they could juggle some of that money if needed. Ms. Ferguson stated that the auditors are the ones who made the school turn the debt service over to the County.

Mr. Conrad stated that he noticed with Dr. Boone's speech it was a continuous push on spending money after money on alternative and at risk education.

Mr. Tanner questioned the schools need for the 53 passenger bus to carry ten children.

Mr. Carter questions the new busses and if they are able to get them into the bus shop without difficulties. Mr. Conrad stated that they are able to fit them in the shop for repairs.

Mr. Conrad stated that the bus shop has several good mechanics and no matter the age of the buses he feels they are very safe and kept in good condition.

Mr. Conrad continued that the biggest problem with the bus shop is when a bus is in the bay there is no room to move around the bus.

Mr. Carter questioned what the Rivermont bus is that was referred to in the joint meeting with the School Board. Ms. Ferguson explained that this bus takes the children to the Pride Center for behavioral problems. Mr. Conrad stated that this bus does need someone other than the driver with the type of children you are transporting.

Ms. Ferguson stated that if anyone on the Board should have any budget questions outside of the budget meetings, she would be glad to answer.

Ms. Ferguson stated she had an action item from the Sheriffs Department.
Ms. Ferguson explained that the Sheriffs Department has asked for an appropriation from the asset forfeiture account in the amount of $5000 to pay Tracy Bolling Inc. for the purchase of a passive nature narcotics canine.

Ms. Ferguson stated that a motion is needed to supplement this money.

Mr. Tanner made a motion to supplement the $5000 from the Asset Forfeiture Account to pay for a narcotic canine. Mr. Conrad seconded the motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye; Mr. Craft, aye.

Chairman Craft thanked Ms. Henderson for being at the budget meeting tonight and also for providing the Board with the revenue projections.

Mr. Conrad stated that the Board has a lot of work to do on this budget and asked if the Board may need to schedule another meeting.

Ms. Ferguson stated that the Treasurer and Commissioner of Revenue need the tax information as soon as possible.

Ms. Ferguson stated that she will put the budget on the agenda for Monday night's regular scheduled meeting as the last item for discussion.

After discussion, it was the consensus of the Board to schedule a budget session on Wednesday, March 18, 2008 at 6:00 P.M.

Mr. Moore stated he had concerns with the last assessment and would like to know if there anything that can be done about this. Ms. Ferguson stated that there is nothing the Board can do about this.

Mr. Tanner stated that he would be bringing up land use again in the future and he feels that the Commissioner of Revenue will work with the Board and assist in anyway possible.

Mr. Tanner made a motion to adjourn the meeting. Mr. Conrad seconded Mr. Tanner's motion.

The meeting adjourned at 8:53 P.M.

William H. Craft, Chairman

On Monday, March 10, 2008 at 7:00 p.m. the Appomattox County Board of Supervisors held a joint meeting with the Appomattox County School Board at the Appomattox County School Administration Building located at 316 Court Street, Appomattox, Virginia.

Present: **Board of Supervisors**
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant

Also Present: **School Board**
Dr. Aldridge Boone – Superintendent
Bobby Waddell – Falling River District
Robert Mitchell – Courthouse District
Wes Williams –Appomattox River District
Amy Martin – Piney Mountain District
William Perrow
Martha Eagle

Dorinda Grasty

Absent: Stacy Garrett – Wreck Island District

Chairman Craft called the Appomattox County Board of Supervisors meeting to order and Chairman Williams called the School Board to order.

Mr. Williams greeted the Board and the public and then turned the meeting over to Dr. Boone, Superintendent.

Dr. Boone started with the theme for this years budget which is Relationships Matter. Dr. Boone began with reflecting on some successes from the past few years. Dr. Boone stated that all Appomattox schools are accredited and have been for four years and have adequate yearly progress as defined by NCLB. Appomattox Elementary School was awarded the Distinguished National Title I School for Virginia. Appomattox was one of twenty two schools in the Commonwealth that met all SOL's and NCLB requirements out of 134 school divisions. The Elementary School recently received the Governor's Excellent in Achievement Award 2008. Appomattox County Primary School received the Virginia Index of Performance Excellent Award 2008.

Dr. Boone stated that these successes were achieved by hard work and a dedicated staff. Dr. Boone also contributes small class size, early intervention programs, curriculum alignment work, professional development and an on going assessment of student achievement along with instructional technology for the achieved goals as well.

Dr. Boone next presented the goals for FY09. Dr. Boone stated that he would like to pay extra attention to programs and services for students that are at- risk and alternative education. Dr. Boone also would like to see competitive salaries and benefits, Dr. Boone stated that federal and state program and staffing requirements, support services, equipment and facilities, public and community relations are in the FY09 goals.

Dr. Boone next presented the FY09 challenges which are leveling student enrollment, state funds targeted to specific areas and no state funds for teacher raises and how the economy has affected the expenditures.

Dr. Boone explained the budget is based on a projected enrollment of 2,252.4 students. There has been a change in the composite index to .2438 which means you have to put in less money.

The primary areas of emphasis are salaries, at-risk student, dual-enrollment and on-line opportunities, CIP, vehicles and communications and software. The main goal being to be able to attract and retain highly qualified personnel.

Dr. Boone explained that some goals for the at-risk students are to reduce drop out rates and increase student membership, creating a new alternative education for secondary

school students, a transition program for sixth and ninth grade at-risk students and a reading specialist in each school.

Dr. Boone explained that Appomattox has a lot of children in dual enrollment classes and it is a very successful program. Appomattox also is able to offer online courses to middle and high school children.

Dr. Boone explained that the schools need replacement vehicles, additional vehicles and maintenance and transportation vehicles.

Dr. Boone explained that the School Board is currently going through a facilities study to be completed by June 2008. Dr. Boone stated that a CIP 10 year plan listing the requirements of the school division is in the process of being completed. Dr. Boone hopes to be able to come together with the two boards and discuss some method of funding for the plan.

Dr. Boone discussed the need for personnel additions in FY08-09 school year. There is a need for 4-FTEs (*Full Time Equivalent*) at K-5; 2- FTEs at AMS; 1- FTE needed in Special Education; a reading specialist at each school which would be 3- FTE's and a custodial supervisor, extend two secondary guidance counselors by one month, director of personnel, three contract bus drivers and a Special Education bus aide.

Dr. Boone next presented some personnel reductions in the FY08-09 budget. The Assistant Superintendent for Instruction and Personnel, NCLB Specialist, Testing Coordinator, 2- Special Education teachers, and the Assistant AD at ACHS.

Dr. Boone explained the projected needs for communication and software which is a 911 telephone upgrade, 5 new Nova Net site licenses, Edline or similar product, $1800 per school, IEP Online $10,000, Subfinder $5,000, Board Docs Program.

Dr Boone explained that they are requesting five school buses; several pickup trucks are needing to be replaced and a box truck. They are requesting a used box truck that will be used for hauling sports equipment or drama sets and equipment. The school currently uses the maintenance truck and a trailer. The dump truck needs to be replaced, it is used for various jobs and also snow removal.

Dr. Boone and Billy Perrow presented and explained the proposed teacher salary increase which is averaged at a 5.9% increase. Dr. Boone stated that they are currently working on a salary study. Dr. Boone explained that the salary increase for support staff is 5% unless you are at the top of the salary scale which then your increase would be 2% and a 5% increase is proposed for Administrative staff. The increase proposed for substitute teachers is a $5 flat rate increasing from $50 to $55 and from $60 to $65.

Dr. Boone also stated that the proposed budget has a 12% increase for employee health insurance.

Dr. Boone explained that this budget is a 9.56 percent increase from last year's budget and the amount of local funds above match requirements is $161,172 which is a 6.38 percent increase in local funds.

Dr. Boone stated that the School Board has not adopted this budget but will adopt and submit to Board of Supervisors after the March 20, 2008 School Board meeting.

Dr. Boone finished his presentation and turned the meeting back over to the joint Boards.

Chairman Craft called for any questions from the Board of Supervisors. Chairman Craft questioned that in changing the teacher student ratio was there going to be classrooms available for this. Dr. Boone explained that there would be room.

Mr. Conrad questioned the personnel additions. How many custodians are already at each school and is it practical to hire a supervisor to handle all this and what would the salary be for someone in this position. He also questioned if it would be more practical to take someone who is already in a custodial position and give them the responsibility to supervise and give them an increase in salary rather than hiring a new position.

Mr. Conrad questioned if the dump truck would be a prudent purchase based on the amount of snow we receive or is it used for other purposes.

Mr. Conrad also stated that he is aware of the fact that some of the schools equipment is not being taken care of as it should be. He feels that money is being spent on this equipment and it would be less costly or possibly save from having to buy new, if it had been properly housed.

Mr. Perrow stated that the dump truck does have other uses other than snow removal and the current dump truck is unsafe to drive.

Mr. Tanner questioned CIP issues and asked if there were any specific concerns. Dr. Boone stated that the Primary and High school have concerns and that there is no money in the budget for this. The proposed budget is only money to operate the school.

Mr. Perrow stated that an architectural study is being done and will give a better idea of what CIP projects are needed. Dr. Boone also explained that they are currently working a CIP list for the next ten years according to prioritization and what the estimated cost would be.

Chairman Craft recessed the meeting at 7:55 P.M. and will continue the budget session at the County Administration Building.

William H. Craft, Chairman

On Monday, March 17, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Tanner to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and called for the setting of the agenda. Ms. Ferguson provided two additional items to be added to the consent agenda for consideration.

Chairman Craft next called for citizen public comments.

Chairman Craft called on Mr. Ray Perkins to speak.

Mr. Perkins stated that he was speaking to the Board on behalf of the Appomattox Youth Sports and various Community sport activities involving the youth.

Mr. Perkins stated that he has been an active volunteer at the new community park since 1991. He stated that he feels very passionate about this Community Park and the youth of the community.

Mr. Perkins stated his main reason for speaking with the Board tonight is asking for money to get this park finished. He stated that this park is a gold mine. In his traveling to other counties for sport events there is a lot of money spent not only at the park where the games are being played, but within the towns also.

Mr. Perkins stated he is requesting a minimum of $75,000 in the budget to help with power, water and sewer at the Community Park.

Mr. Perkins stated he feels that the communities perception of the Board is that you do not care about the youth. He feels that when there is no money in the budget from year to year citizens question him as to why, he does not have an answer for them.

Mr. Perkins stated he hopes that this park does not turn into a fifteen year project.

Mr. Carter thanked Mr. Perkins for coming out tonight and also stated appreciation for each of the volunteers and their dedication.

Chairman Craft next called on Mr. Paul Lee from Robison Farmer Cox to come before the board and present the Annual Financial report for fiscal year ended June 30, 2007.

Mr. Lee stated that the audit went very well this year. He continued that there have been some major changes in the auditing standards which required the County to post all the accrual entries to the general ledger. Mr. Lee stated this was a major change from what we have done in the past and he also commend and congratulated the staff in the Treasurer's and Administrators offices for work that has been done and felt that it was a big undertaking.

Mr. Lee explained that the County has finished the year with 4.4 million dollars in the general fund unreserved.

Mr. Lee also called the Board's attention to the tables in the back of the audit report and to look at table 5 which is the delinquent tax report. This table gives you a good feel on how to budget for taxes and shows how well you have done in collecting taxes.

Mr. Lee again stated the County has accomplished a major accomplishment by being able post all accruals.

Mr. Lee thanked the Board and called for any questions. With no questions Chairman Craft continued with Administrative Item #1 Property and Liability Insurance.

Ms. Ferguson explained that she had met with Stephanie Heintzleman and she has addressed the issues of concern that the Board had. Ms. Ferguson stated that she has spoken with other localities and they are satisfied with this insurance and feels that all the concerns the Board had have been addressed and there does not seem to be any major issues. Ms. Ferguson explained to the Board how the change would occur if they choose to go with VACo.

Mr. Conrad stated that most all localities in state are using this insurance. This insurance is also reflecting a $9,000 savings in insurance premiums. He feels that the Board needs to look at going with VACo insurance.

Mr. Overstreet stated that he had reviewed the insurance bid several weeks ago and the Board would not have to go through a procurement process for this.

Mr. Carter stated that the Board has previously dealt with Cabell and they have an established track record with the County. Mr. Carter stated they have proven what they can and cannot do. He feels even though there is a $9,000 difference it would only take one incident to derail this cost savings. He feels comfortable dealing with someone local and someone we have dealt with continually over the past years and feels that it would be beneficial to stay with Cabell.

Mr. Conrad stated that he agreed with Mr. Carters statements, but with the number of localities in the state utilizing this program and it seems to be serving them well, that certainly was a turning point for him.

Mr. Carter also stated that the other localities may not have the same working relationship with someone locally as we do, and feels we are very fortunate here in that aspect.

Chairman Craft called for further discussion.

Mr. Tanner stated that he has studied this and he felt that this was the opportunity to save some money with going with this program.

Mr. Conrad made a motion to purchase VACo insurance contingent on the County Attorney reviewing the agreement. Mr. Tanner seconded the motion. Roll Call Vote: Mr. Carter, nay; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Tanner made a motion to adopt the resolution to join the Virginia Association of Counties Group Self Insurance Risk Pool. Mr. Conrad seconded the motion. Chairman Craft called for further discussion. With no other discussion Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

RESOLUTION TO ADOPT THE MEMBER AGREEMENT TO JOIN THE VIRGINIA ASSOCIATION OF COUNTIES GROUP SELF INSURANCE RISK POOL

WHEREAS, Appomattox County desires to protect against liability claims and property losses and to provide for payment of claims or losses for which the county may be liable; and

WHEREAS, the Virginia Association of Counties Group Self Insurance Risk Pool, aka VACo RP, has been established pursuant to Chapter 27 (§15.2-2700 et seq.) and Title 15.2 of the Code of Virginia; and

WHERAS, it is desirable for Appomattox County to join the Virginia Association of Counties Group Self Insurance Risk Pool in order to provide a method of risk sharing for liability claims and property losses;

NOW, THEREFORE, BE IT RESOLVED that the governing body of Appomattox County hereby agrees to the member agreement entitles "Member Agreement for Virginia Association of Counties Group Self Insurance Risk Pool" which creates a group fund to pay liability claims and property losses of the counties and other local agencies joining the Group, and we acknowledge we have received a copy of the pertinent Plan and supporting documents.

BE IT FURTHER RESOLVED that Aileen Ferguson is authorized to execute the member agreement to join the Virginia Association of Counties Group Self Insurance Risk Pool and to act on behalf of Appomattox County in any other matter relative to the Group.

This the 17th day of March, 2008,

ATTEST: _____ _____
Clerk Chairman

Chairman Craft next presented Administrative Item # 2 Interview Panel for District Health Director.

Mr. Conrad questioned if there would be any contact before the actual interviews. Ms. Ferguson stated that he would receive a copy of all applications for review before the interviews. Mr. Conrad volunteered to serve on this panel representing Appomattox County.

Chairman Craft presented Administrative Item #3 2008 Local Government Council Annual Meeting. Ms Ferguson stated that she needed to know who planned on attending this meeting so that her office can RSVP.

Chairman Craft explained that the next item of business would be a joint public hearing with the Planning Commission.

Chairman Craft called the regular meeting back in session at 7:20 p.m.

Chairman Craft next presented the Consent Agenda.

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS

Animal Control

3501-5402 –	Food Supplies	$25.00

Library

7301-5401	Office Supplies-	$406.00
7301-5411	Books -	$175.60
7301-5415	Summer Reading -	$50.00

Sheriffs Department

3102-5408 Vehicle Power Equipment Supplies $1661.46

LINE ITEM TRANSFER

Assessor and Reassessment

Transfer $6158.34 from 1101-5804 (Operating Reserve) to 1210-5401 – (Office Supplies)

Mr. Tanner made a motion to approve the Consent Agenda as presented. Mr. Conrad seconded the motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Informational Items and called for any Supervisor Concerns.

Under Supervisor Concerns Mr. Carter stated that he would like to make everyone aware that Mike Damron- Campbell County Utilities Services Authority will be meeting on Wednesday, March 19 with the Appomattox Town Council to discuss the water authority. Mr. Carter stated this is something that this Board should also hear. Mr. Carter stated that he had spoken with Ms. Ferguson earlier today regarding this meeting and she has asked Mr. Spencer and Mr. Roark to attend due to the Board of Supervisors having a budget work session at the same time.

Chairman Craft presented the upcoming meetings.

Ms. Ferguson explained that there has been a change in the notice requirements for budgets which now has to be advertised 30 days prior to the public hearing on the tax levy.

Ms. Ferguson stated that the budget schedule would have to change due to this code change.

Ms. Ferguson explained that the soonest the Board could meet and hold the public hearing for the tax levy would be April 28, 2008.

Ms. Ferguson stated that she would discuss this in more depth at the budget work session which is scheduled for Wednesday, March 19th.

Mr. Overstreet stated that he did not feel it was appropriate to set your tax rate before you have your budget, because the code states that you adopt the budget and then set your tax rate.

Ms. Ferguson stated that we have to know a tax rate to advertise the budget next week.

Mr. Overstreet stated that the tax rate that is advertised can be lowered at a later date, but the Board would not be able to set a higher rate than, was advertised.

Chairman Craft called for a recess at 7:40 p.m.

At 7:47 p.m. the Board reconvened the meeting to discuss the FY2009 budget.

Ms. Ferguson stated that tonight they would be going through the budget expense, since they went through the revenue at the last meeting.

Ms. Ferguson stated that an increase in 1101-3002 professional services was due to the water line. Ms. Ferguson explained that she had put $35,000 in for Code Re-codification and $65,000 for the water line. Ms. Ferguson stated that the code had not been re-codified for many years and it is something that needs to be done due to many changes in ordinances and codes. She stated that it is also possible that this may not be enough to pay for the re-codification and more may need to be placed in next year's budget for this.

Ms. Ferguson stated that she increased the mileage for the Board from $800 to $1600 due to the rising gas prices.

Ms. Ferguson stated that a lot of the budget figures that are no longer in the Board of Supervisors budget have been moved into the new IT budget.

Ms. Ferguson explained that $17,390 can be removed from 1201-1003- (part-time salaries). This is money that was placed in the budget several years ago when we had employees out on leave and we had to pay a part-time person to fill that position.

Ms. Ferguson stated that the blue cross figures were left out of the budget so it would need to be added back into 1201-2005 (blue cross) which would be $21,972

Ms. Ferguson explained that in 1201-5501 (travel) a $1000 could be removed from the budget.

Ms. Ferguson explained that $1000 can be removed from 1201-5801 (Dues/Membership) due to a clerical error.

Mr. Conrad questioned the salaries and what increase they were based on. Ms. Ferguson explained that she had calculated all salary and wages on a 4 percent increase.

Ms. Ferguson explained that in 1204-3002 (Professional Services) can be reduced by $16,000.

Ms. Ferguson explained that between the Treasurer's staff and John who did all the fixed assets, they have saved the County a tremendous amount of money by not having to hire another auditor. Ms. Ferguson added that we may not be able to do this again next year so she is leaving the budgeted amount in for that reason.

Mr. Conrad questioned if the new Commissioner of Revenue's position would be the same salary as the previous. Ms. Ferguson explained that Sarah would have to go through the certification process before she can make the full salary of the previous Commissioner.

Mr. Conrad would like Ms. Ferguson to check with the Commissioner of Revenue to see why the increase in 1209-3004 (Repairs) and 1209-3005 (Maintenance).

Ms. Ferguson stated that the Commissioner of Revenue is requesting two new computers for her office. The County purchased one computer earlier this year which was for Sarah.

Ms. Ferguson stated that generally the Board does not give more that the Compensation Board is willing to pay for part-time money to Constitutional Officers.

Mr. Spencer explained the new department for the Information Technology. Mr. Spencer explained that at least $88,000 that has been moved from other department budgets to this budget.

Mr. Spencer explained that the $66,500 is for a four year old AS400 that needs to be replaced and also we are in year one of a five year leasing plan that is included in that figure.

Mr. Spencer explained that $30,000 is in this budget for a GIS and server. This includes the server, software, upgrades to current licenses we currently have and also one editor license. The editor license is required to make needed changes.

Mr. Spencer explained that Ms. Barbara Williams will be paying the first year payment for a large copier that will be housed in the County Administrative Office.

Ms. Ferguson stated that Ms. Williams will be able to request money each year for this until we have finished paying for this.

Mr. Spencer explained that this copier will be used by not only our office for subdivision plans but by the Clerk of the Court and Commissioner of Revenue and E911 office for various projects.

Mr. Spencer stated that the $10,000 in networking equipment is an estimation only.

Mr. Spencer explained that he had included $10,000 for a sound system for the Board meeting room at the Community Center. Mr. Spencer stated that most of the sound system equipment that the Board is using was purchased used. Mr. Spencer stated that the price put in the budget is a price he received back in December.

After discussion of the Board on the sound system it was decided that $1,500 would be put in the budget for microphones and not the full amount budgeted for a sound system.

Mr. Spencer stated that the $1000 in professional services was added due to not knowing exactly what will be needed at this time.

Ms. Ferguson presented the Electoral Board budget and the Registrar Budget.

Ms. Ferguson stated that each of the Board members received a letter requesting an increase in salary for registrar.

Mr. Conrad stated that the Electoral Board had explained to him that she had never received a merit increase in the sixteen years of working for the County.

Ms. Ferguson explained that the Board usually does not supplement salaries except with the exception of the Sheriffs department.

After discussion on the requested increase of salary for the registrar it was decided by the Board to give a two percent increase in July and then whatever the State approved.

Ms. Ferguson presented the Circuit Court budget and explained that there would be an increase if we receive a new judge.

Ms. Ferguson next presented the General District Court budget and Juvenile and Domestic Court budget which have minor changes.

The next budget to consider was the Clerk of the Circuit Court and having no other discussion from the Board. Ms. Ferguson presented the budget for Sheriff (Civil Process).

Ms. Ferguson presented the Court Services Unit budget and stated that she has projected an increase by $100,000. Ms. Ferguson explained that this increase is due to Juvenile Detention and home electronic monitoring. Ms. Ferguson stated that monitoring juveniles is expensive, but having them incarcerated is even more expensive. Ms. Ferguson stated that she planned to see the judge about this but feels it will not do any good.

Mr. Carter asked if any of this money is reimbursable. Ms. Ferguson stated that none of this money is reimbursed from home monitoring or incarnation. Ms. Ferguson also stated that we are members of the Lynchburg Detention Center and our fees could be a lot higher.

The next budget to consider is the magistrate's budget. Ms. Ferguson stated that this department is going through many changes at this time so she has asked for some additional funds.

The Commonwealth Attorney's budget was presented and explained that he has helped our office tremendously with office supplies and also his employee Chris Billias is helping us with some issues which keeps us from having to use Mr. Overstreet.

Mr. Tanner made a motion to adjourn the meeting until Wednesday March 19, 2008 at the County Administration Building. Mr. Conrad seconded this motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 9:00 P.M.

William H. Craft, Chairman

On Monday, March 17, 2008 at 7:00 p.m. the Appomattox County Board of Supervisors and the Appomattox Planning Commission held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:

Board of Supervisors
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Planning Commission
George Almond
Steve Conner
Susan Hudson
Chad Millner
Marvin Mitchell
Kevin O'Brien
Bryan Baines
Barry Morris
Johnnie Roark – Planner

Absent:

Shannon Dews
Calvin Tanner

Also Present:

Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Craft called the public hearing to order at 7:02 p.m.

Chairman Craft explained that this public hearing was to receive public comment on the following petitions:

CUP08002-Guaranteed Network Services, Inc.-The applicant/agent Guaranteed Network Services, Inc. is requesting a conditional use permit for property located on the south side of Cabin Lane, Appomattox, Virginia. The applicant is seeking to locate a 190-foot Wireless Communications Facility on the property in order to provide wireless internet service to a portion of the county. The zoning district is Agricultural, A-1. The subject property is identified as Tax Map Number 9 (A) 22; Appomattox Lime Company, owner. The total parcel area is approximately 57.85 acres; however the area where the tower will be located is approximately 0.01 acres in size.

CUP08003-Guaranteed Network Services, Inc.-The applicant/agent Guaranteed Network Services, Inc. is requesting a conditional use permit for property located on the south side of Stratton Dairy Road (Route 713), Concord, Virginia. The applicant is seeking to locate a 190-foot Wireless Communications Facility on the property in order to provide wireless internet service to a portion of the county. The zoning district is Agricultural, A-1. The subject property is identified as Tax Map Number 47 (A) 32; David Stratton, owner. The total parcel area is approximately 340.5 acres; however the area where the tower will be located is approximately 0.01 acres in size.

Chairman Almond called the Planning Commission to order at 7:03 p.m.

Chairman Craft next clarified a statement in the Times Virginian that had quoted him incorrectly.

Mr. Roark, Planner next presented both petitions for Guaranteed Network Service Inc. (GNS Inc.) Mr. Roark explained that both applications are similar. In both cases they are zoned A-1. Mr. Roark explained that towers will be placed with intentions to provide broadband internet services to the more rural areas of the County. GNS Inc. currently has equipment on the tower located in the Industrial Park and providing their service in a 5 mile radius. These two towers will cover most of the northwest quadrant of the County.

Mr. Roark provided a visual presentation of both tower locations describing the locations and distance the towers would be from closest dwelling sites.

Mr. Roark explained that the major impact of these two towers is that they will be visible. The towers are 190 feet tall and will be surrounded by hardwood trees.

Mr. Tanner stated that there are quite a few people looking forward to this tower in the Stonewall area to help them with running their small business.

Mr. Tanner questioned if there was an access across the creek rather than having to go through it. Mr. Hunt stated that this is something the Stratton's were concerned about also and if this tower would disrupt the environmental area in any way. Mr. Hunt stated that this tower would not be disruptive to the environmental area.

Mr. Tanner also questioned if there would be fencing and a gate around the tower. Mr. Hunt stated that there would be a fence and locked gate around the tower.

Chairman Craft called on Mr. Dennis Hunt, President of Guaranteed Network Services, Inc. to speak.

Mr. Hunt stated that they are building the tower to give broad band to the County of Appomattox. Mr. Hunt stated that there are two services that come through the Town of Appomattox, but none in the County.

Mr. Hunt stated that there were two things he was concerned about, one being the height of the tower due to radio frequency has a tendency to drop so with the more height you have the more people you can serve. The second concern was trying to keep it out of sight. Obviously there is no way to build a tower at 190 feet and keep it totally out of sight. They have tried to plan this so people can live a normal life without an obstruction of the tower to you. Mr. Hunt also gave reasons for allowing both the towers. The first reason would be to benefit the small businesses and home based businesses, second families need these services for children in school and college. He also stated that it would add another access for 911.

Chairman Craft called for any questions from the Board. Being no further questions from the Board, Chairman Craft called for citizens who would like to speak in favor of the towers in the Stonewall area to come forward and state name and address.

Mr. Frank Pointer, 4893 Stonewall Road, stated that he was looking forward to having this service in his area.

Mr. Walter Bills, 4896 Stonewall Road, stated that he had talked with his neighbor Dr. Tom Scholsky and both of them are in favor of this service.

Mr. Tom Schmutz, 1656 Becham Road spoke in favor of the towers.

Being no further speakers in favor or against either of the petitions Chairman Craft closed the public hearing at 7:18 p.m.

W.H. Craft

William H. Craft, Chairman

On Wednesday, March 19, 2008 at 6:00 p.m. the Appomattox County Board of Supervisors held a budget work session at the Appomattox County Administration Building, located on 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant

Chairman Craft called the budget work session to order.

Chairman Craft presented the revised budget schedule. After discussion of the revised schedule Mr. Tanner made a motion to adopt the revised budget schedule and Mr. Conrad seconded the motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner.

Chairman Craft turned the work session over to Ms. Ferguson to begin presenting the FY2009 budget expenditures.

Ms. Ferguson began with the Witness Advocate Grant and explained that this is a $40,000 grant received by the Commonwealth Attorneys office. It is presently being used for Juvenile Court.

Ms. Ferguson presented the Victim/Witness Grant budget. Ms. Ferguson explained that she had figured a two percent increase in salary. Ms. Ferguson also explained that the State will not be giving her as much money as they have in the past, so after talking with Mary Anne, office supplies and equipment will be removed from her budget and she will be using the County Administration supplies and equipment.

The next budget for review was the Sheriffs Department. Ms. Ferguson stated that she had recalculated all salaries at two a percent increase and recalculated the benefits also.

There was discussion again of the Victim/Witness Advocate budget and what was going to be reimbursed by the State and what the County is responsible for paying.

Ms. Ferguson stated that the County is not mandated to pick up any of the portion of the salaries that are being cut or already been cut by state but at some point you have to cut your services that you provide to citizens.

Ms. Ferguson presented the Sheriffs town budget. She stated that the Town is already not covering this budget and is going to cover it less. Wilson has already had to drop one

deputy from this department because of cuts. Ms. Ferguson stated that the Town has no intentions of giving more than what the state gives them for this position.

Ms. Ferguson stated that this is another classic example of what is happening. Funds are being reduced and the Town states that they are not putting any more money into this because it is up to the Sheriff to provide protection to the Town without them paying additional money.

Ms. Ferguson presented the budget for School Resource Officers. Ms. Ferguson stated that this is no longer a grant this department is totally funded by the County.

Ms. Ferguson stated that if the Board is considering cutting out any positions from the Sheriffs department that Wilson needs to know this ahead of time.

Mr. Tanner and Mr. Conrad stated that maybe the Board needs to meet with Wilson and make him aware of the Board concerns. Ms. Ferguson also stated that she would talk with Wilson and let him know the concerns which would allow him to go and speak with the Town regarding the concerns and how it is going to affect them and the Sheriffs department.

Mr. Conrad stated that the Dare program should be cut back to $2000 since the budgeted money has not been spent in the past two years.

There was discussion of the Fire Department budget and what is actually being paid from this budget.

Mr. Tanner stated that he would like the Board to consider for the future more of a donation to the fire departments in our area. Mr. Tanner states that he works with some of the volunteers from the different agencies and they feel left out and stated that the two thousand dollars that the County donates is very little considering the valuable service that these departments provide.

Mr. Ferguson stated that the Rescue Squad budget has pretty much stayed the same except for the four for life fund which has increased. Ms. Ferguson stated that Pamplin Fire Department has their EMS vehicle on the County's insurance policy. Ms. Ferguson explained that the Appomattox County Rescue Squad was offered the same option years ago and the organization chose not to have their vehicles on the County's insurance policy. Ms. Ferguson stated that is the reason for the County donating $10,000 towards their budget.

Ms. Ferguson stated that the reason for an increase in the jails budget is due to purchase services, which is a gamble you cannot be sure of what the cost and also with the food services. You can remove money from these areas, but more than likely you will end up having to put it back in the budget before the end of the fiscal year.

Ms. Ferguson next presented the Building and Housing budget and explained that money is in the part-time salaries due to having someone cover the County for inspections while the Building Official is in either training or on vacation. Ms. Ferguson stated that she did not like having the County left with no coverage when the Building Official is out.

In the Animal Control budget it was explained that the part-time salary is for the person that comes in and cleans the pound seven days a week.

Mr. Conrad questioned Ms. Ferguson on why the County bought a big vehicle to haul animals. Ms. Ferguson stated that the vehicle is not just for animal control. It also has a blade for pushing snow around the complex and also at the pound.
Ms. Ferguson also explained that you have to separate every animal that you are hauling, so if you are driving a smaller truck and can only carry one or two cages and are across the County and need to pick up an animal you may have to go to the pound before picking up another animal.

Mr. Carter questioned why we have to pay for livestock kills. Ms. Ferguson stated that it is mandated by code for the County to pay for stray dog livestock kill.

Ms. Ferguson explained that there is an increase in the expenditures for emergency services. Ms. Ferguson explained that it was in the plan to have Mr. Freddie Godsey working part-time. Mr. Godsey will be bringing the ordinances up to date, organizing table top exercises that are necessary and also to help Bobby to get the road signs back up. Ms. Ferguson stated that she has budgeted $10 per hour for this purpose.

Ms. Ferguson stated that in the E911 budget the biggest increase is in the wireless grant money which we get in revenue also. Ms. Ferguson stated that she had also figured the salaries at a two percent increase instead of the four percent.

Ms. Ferguson continued with the Refuse Collection budget and stated that she had made changes to the salaries and benefits to reflect a two percent increase instead of the four percent.

Ms. Ferguson stated that the $42,000 in equipment is due to a new truck and replacement container.

Chairman Craft questioned if this budget reflects the cost of the new manned sites. Ms. Ferguson stated that the money for the manned sites will be coming from the Bond.

Ms. Ferguson stated that the manned sites should be in place by June of 2009.

Mr. Conrad questioned how the sites were going to be manned. Ms. Ferguson stated that employees from the landfill would be filling those positions and the County may need to hire a few new employees.

Ms. Ferguson next explained the General Properties budget and stated that she had figured a two percent increase instead of the four percent as previously figured.

Mr. Tanner questioned who cleaned the Courthouse. Ms. Ferguson stated that TCM out of Lynchburg is who has the contract and it is now time to put this contract out for bid again.

Ms. Ferguson stated that CVAAA and Central Virginia Community Services both asked for an increase which she put in the budget.

Ms. Ferguson next presented the Comprehensive Services budget. Ms. Ferguson stated that the County gets back all but 30 percent of the professional services expenditures. The County does not get any reimbursement for administration expenditures. Ms. Ferguson stated that she has refigured the salary and benefits at the two percent increase instead of the previous projected four percent. Ms. Ferguson also explained that she feels that the County is going to have to consider hiring a part-time person or either some contractual services. Ms. Ferguson stated that the CSA Coordinator cannot continue what she is doing. Ms. Ferguson stated that she has added $20,800 for a part-time position. She explained that if the County could find a retired social worker for this position it would be great, but she is not sure if we can find someone to work in this capacity for that amount of salary.

Ms. Ferguson stated that if the Board wanted to cut the funds in the CSA budget they can, but it is very likely that it will have to go back in the budget before the end of the fiscal year.

Ms. Ferguson explained that the $100,000 that is in the Sports Complex Fund is totally donated money.

Mr. Carter stated that he would like to see the Board consider a donation to the youth. Ms. Ferguson stated that she would not like to see the Board give anything to the Youth Sports, but to give it to the Sport Complex Fund.

Mr. Carter stated that the Board should consider donating $50,000 to the Community Park. Mr. Carter stated that it could be a win, win situation for the County and the Youth once the park is established. There could be a large amount of money made here once the park is up and running. Mr. Carter stated that this park could also be a boost for tourism.

Ms. Ferguson stated that she would love to see the water and sewer installed at the park and let that be the contribution from the County since the water and sewer will be coming from the Industrial Park pump station. Let them use the donated well from Fred Jones for irrigation purposes and let the County put them on town water and sewer.

Ms. Ferguson stated that she is in the process of getting some prices for the water and sewer for the park.

Chairman Craft stated that he has a concern for the water usage and the County having to pay for the water. He feels it will need to be monitored.

Ms. Ferguson explained the reasoning behind the Board no longer giving donations to the Youth Sports Association.

Ms. Ferguson stated that she had refigured the salary and benefits for Parks and Recreation at a two percent increase.

Ms. Ferguson stated that in the Contributions budget she has included everyone who has asked for contributions. Mr. Conrad asked if there was anything in contributions that we have never contributed to. Ms. Ferguson began naming the programs that the Board has never contributed to and it was consensus of the Board to remove all money from programs that the Board had never contributed to.

In discussing the Library budget, Ms. Ferguson stated that she had refigured the salary and benefits for a two percent increase instead of the proposed four percent. Ms. Ferguson stated that the Library Director has asked for about a three percent increase in his budget with Pamplin Library being his major increase. Ms. Ferguson stated that the Town usually gives the County $5000 reimbursement for this department.

Ms. Ferguson stated that we have some money that we may be able turn back into the bond from the landfill cell. If we are able to use this money on the water line we will, if not we will pay it back to the bond and reduce the debt service.

Ms. Ferguson next presented the Zoning & Subdivision budget with refigured salaries and benefits with a two percent increase instead of the four percent.

Ms. Ferguson explained that $50,000 is in this budget for a new software program for Building and Housing. This will be paid in this fiscal year and next fiscal year also. Ms. Ferguson stated that staff has spent a considerable amount of time studying a software program that would best benefit our County. Ms. Ferguson stated that this permit program is not something that the staff has just decided on a whelm that they need. Staff has traveled to bordering counties to look at the different software and really put a lot of thought into a software program that they feel will work best for us.

Ms. Ferguson presented the Economic Development budget. Ms. Ferguson stated that $571,401 is all Tobacco Commission money. Mr. Carter questioned why only $480 had been spent in the area of marketing for the Industrial Park. Ms. Ferguson stated that Staff had not had time to work on marketing the Industrial Park due to working on other County projects.

Ms. Ferguson presented the Erosion and Sediment Control budget and stated that this is a completely new department that we will be sharing with Nottoway County.

Ms. Ferguson next presented the Extension Service budget. Ms. Ferguson stated that this budget has an increase due to a full time salary with new Extension Agent and not having vacancies in the office and they are also asking for $2000 for a summer intern. Ms. Ferguson stated that also they have money in the professional development and money in mileage. These are areas that we have never budgeted before.

Ms. Ferguson explained that the capital project budget reflects some of the money we will be spending out of the bond. This is the portion that we have to pay for the Regional Landfill and Regional Jail.

Ms. Ferguson next presented the School budget. Ms. Ferguson stated that she had cut what the School Board stated was over and above what is required to get the state and federal money.

Ms. Ferguson questioned if we are only paying matching funds to get the state money and the State is only giving a two percent increase in December how is the school going to give a 5.9 percent increase. Ms. Ferguson stated that there is money in their budget somewhere that is not needed to match those State standards. Ms. Ferguson stated that she is going to call Dr. Boone and have him answer this question.

Mr. Ferguson stated that Mr. Tanner questioned why the school is requesting a twelve percent increase in health insurance when the increase is actually going to be 8.8 percent. Ms. Ferguson explained that she talked with Mr. Perrow at the School Board and he explained that he had put that figure in the budget much earlier before the actual 8.8 figure was known, however he had also figured the fuel at $3.10 a gallon and is sure that fuel is going to be much higher than that and he would move the extra from the insurance line item to the fuel line item.

Mr. Ferguson stated that the request for local dollars over last year is $266,743 the rest of the schools increase is in State and Federal funds. Ms. Ferguson stated that the School is saying that $161,172 is above the local match that is required. Ms. Ferguson stated that they have a big increase but that is with the State and Federal dollars. Ms. Ferguson stated that there is no way we can give them additional funding. Ms. Ferguson suggested cutting the school budget by $161,172 which is the amount that is over and above what is required to meet the State and Federal match.

Ms. Ferguson stated that in the Social Services budget there was a request for a three percent increase and she would be contacting Mr. Elder and asking him to cut the increase to a two percent increase. Mr. Elder has also asked the Board to fund two new employees for Social Services. Ms. Ferguson stated that the State has completed an audit and Appomattox Social Services has been approved for two employees, however they will not fund these employees. Ms. Ferguson stated that the two new employees are included in the budget submitted by Social Services.

Ms. Ferguson stated that at the next Board meeting the Board would need to establish a proposed tax rate. Ms. Ferguson stated that she is going to make all the changes as of

tonight and at the next meeting come back with a new budget figure. At that time the Board will need to establish the proposed tax rate so that it can be advertised in the paper and we can stay on schedule.

Mr. Craft questioned if once the tax rate is set and advertised can they raise it. Ms. Ferguson explained to the Board that once this rate is advertised you can lower the rate but you cannot raise the rate.

Mr. Tanner stated that after the budget is complete he would like the Board to revisit the land use tax. Mr. Tanner stated that there are things that can be done and working closely with the new Commissioner we should be able to help the farmers and not overburden the County. Mr. Tanner stated that he would like to see the Board still promote land conservation also.

Mr. Tanner made a motion to adjourn the budget work session and Mr. Conrad seconded the motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft closed the budget session at 8:50 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, March 24, 2008 at 6:00 p.m. the Appomattox County Board of Supervisors held a budget session at the Appomattox County Administration Building, located on 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant

Chairman Craft called the budget session to order at 6:00 p.m. and called for a moment of silence.

Chairman Craft then turned the meeting over to Mrs. Ferguson.

Ms. Ferguson began with giving a review of the School budget. Ms. Ferguson explained that the local increase to get all matches is $8,966 over and above what had originally been projected. The Board had discussed reducing their budget by all the local program support which was $161,172, so if you add that $8,966 back you end up a School reduction of $152,206.

Ms. Ferguson explained that going through all the reductions that were made on the budget at the March 19, 2008 meeting totals up to $238,465. That is not adding the 9.3 percent to the budget for the two resource officers and the one officer that is on the town budget to bring those officers up to what the others are making.

Ms. Ferguson stated that if you took the total of reductions which is $238,465 from the short fall at .46 cent you come up with $493,777. Ms. Ferguson stated that she had spoken with the Landfill Supervisor trying to make sure of the amount of money we will need in order to close cell I in June and complete all the manned sites. The figure that that they came up with is $500,000 to do the six sites with fencing, housing, the compactor boxes and everything that is necessary to bring them into shape that they need to be in. Ms. Ferguson explained that not opening the new cell will leave about 2.5 million borrowed on a bond. She proposes to use $500,000 of that money to complete the manned sites and use the $722,000 out of that to close Cell I and we pay the debt service this year of $455,041 out of the bond money then you would have a budget short fall of about $48,000 at .46 cent. Ms. Ferguson stated that whatever is left in the bond will be paid back into that.

Ms. Ferguson stated that once the manned sites are complete responsibilities will be changing at the landfill. We will see a lot of shifting around but not a lot of actual change in required salaries for these sites. Ms. Ferguson stated that our policy states that we will try to find jobs for everyone and this is our goal.

Ms. Ferguson stated that she would recommend that the Board propose a tax rate of .50 cent per 100.

Ms. Ferguson stated that she had received the projections from the State on most of the Constitutional Officers budgets and they are just about what she projected in the revenue. Changes in the revenue will be minimal.

Mr. Conrad questioned the total amount to be given to the Schools. Ms. Ferguson stated that the total amount proposed is $21,679,914. Ms. Ferguson explained that she looked at what was done last year and they have given the school the amount needed to meet the match for State and Federal standards.

Ms. Ferguson stated that this is proposed and the Board can make any changes that they see fit. Mr. Conrad stated that he has a problem with the majority of school money going to at-risk programs. He states that we have children that want to compete with children in Northern Virginia for colleges and here we are putting the majority of money in at-risk programs.

Mr. Conrad stated that also the School is going to be giving a minimum of 5.9 percent increase and our employees have to settle for a two percent increase. Ms. Ferguson stated that she feels the School needs to explain how they can give the 5.9 percent with State only giving two percent. Mr. Tanner stated that if there is no good explanation for them being able to provide the 5.9 percent increase then we cut our funds. Mr. Tanner stated that it is not being fair to the County employees. Mr. Tanner stated he understands the teacher's plight, but he also understands the County employee's plight.

Ms. Ferguson stated that she would be speaking with Mr. Perrow in regards to an explanation for the 5.9 increase.

Chairman Craft welcomed and called on Mr. Barry Elder, Director of Social Services to speak with the Board on his proposed budget for FY09.

Mr. Elder started by explaining he had provided a narrative to help follow along with him. Mr. Elder explained that in the past he had presented a conservative budget, however with the increase in cost and case load, a more forward looking and increased budget has been submitted this year.

Mr. Elder stated that he would only go over the funds that he is requesting an increase in. Mr. Elder stated that he is requesting an increase in the Auxiliary grants based on an increase in case load. He explained that the case load increased due to more people being eligible for these grants. Mr. Elder explained that an auxiliary grant is the money that is used when an elderly or disabled person goes into a home for adults and the money is used to supplement their check to pay. The home for adults will take their social security check and leave them a small amount for living expenses and if it does not cover the cost of the bed for the room they are staying, the auxiliary grant will kick in and pay what is left. This is only for senior citizens and disabled persons.

Mr. Elder next explained the adoption subsidy which is money that goes to adoptive parents who have children with special needs. Adoptive parents are not expected to pay for all the special needs that some of these children have.

Mr. Elder next explained that the State has approved a new eligibility worker which is needed but denied the funding for this position. Mr. Elder stated that a three percent cost of living increase has been proposed for all eligibility workers and their staff and includes an increase in administrative cost and traveling expenses. The local match for this category is 48.5 percent.

Mr. Conrad asked if the State approved this position why have they denied to fund it. Mr. Elder explained that the State's only explanation is they do not have the money to fund this position.

Mr. Elder explained the need for an eligibility worker. In FY-2002- there were 1,534 eligibility cases. This includes Medicaid, food stamps, TANIF, fuel assistance, energy

assistance. In FY-2008- we have 2496 cases and the amount of employees has stayed the same. Mr. Elder explained that an employee had not been added to this department since 1990. Mr. Elder states that the case load has grown tremendously.

Mr. Conrad questioned what took place between FY2003- FY2004 that caused such a big change? Mr. Elder stated that it was the different categories of Medicaid. Mr. Elder stated that Medicaid is their big program and that is where the money is and all the big cases are. They increase the case load to make it easier for people to become eligible for Medicaid. They changed the categories, now you have the aged, blind, and disabled, you have expectant mothers, and the families receiving TANIF receive Medicaid as well. In that year they increased the number of categories of Medicaid causing the case load to jump about 500 cases in one year. Since this change it has just been the population that has grown steadily an aging population and the aging poor is growing and they are the ones that get Medicaid.

Ms. Ferguson questioned Mr. Elder if the Board agrees to fund one or both of these positions will he continue to ask the State to fund these positions? Mr. Elder stated he would make that request to State each year. Ms. Ferguson asked if State would look at the fact that the County is funding these positions at a later date and not fund them because the County is taking care of them. Mr. Elder responded that if the State comes through with any funds it will be because the case load across the State has grown and they say that we need more workers and the money is there it will be divided up across the state according to case load and they will not consider the fact that the County has been funding these positions.

Ms. Ferguson stated that there is a possibility that in the future the County could be reimbursed by the State for these positions, Mr. Elder agreed and said yes and it came close in the general assembly this year for them to approve more eligibility workers across the state but failed at the end.

Chairman Craft asked if other jurisdictions are having the same problem and having to go to the Counties. Mr. Elder said that positions have been approved across the state but no money is being approved for these positions.

Mr. Elder continued with an explanation of the Service Staff and Operations pass thru and explained that this department also needs another new social worker. The State has also approve this position but with no funding. This also includes a three percent cost of living increase for the service workers and supporting staff and increase in legal fees. Mr. Elder explained that the Judges have told Social Services not to come into their Courtroom without an attorney. Mr. Elder explained that in the past you could go into Court and represent yourself and present the cases and did not need an attorney. It is now required by the judges to have an attorney and if you appear without an attorney they state you are practicing law without a license.

Mr. Elder stated that we do have a contract with some local attorneys who work with us and provide us with a lower fee, however it is still expensive.

Mr. Elder explained that the caseload was growing through 2005 and then you seen a decrease and the reason for this is we are serving the same number of people and same number of families, what has happened is we are getting cases that are so difficult and so time consuming. Mr. Elder stated that previously they would open a case on anyone that was given a food bag, paid an electric bill or helped someone fill out a form which was legal, they received funding for that, however Mr. Elder stated they do not have time to do this anymore. Mr. Elder stated that they are spending their time on the time consuming rough cases that takes up all the time, Mr. Elder stated that at one time we did not have any foster children now we have seven foster children. Mr. Elder stated that his foster care worker does adult protective services, adult services and foster care and he stated that this is impossible to be done in this manner and to be done correctly. When this is not done correctly you get state and federal charge backs. Mr. Elder stated that he needs another worker.

Mr. Elder called for any questions from the Board.

Mr. Conrad questioned Mr. Elder on what is determined a success from their stand point.

Mr. Elder stated that in child foster care the goal is to get them back into the home. Mr. Elder stated that if they can give services and not remove the child into foster care that is what is done, however when the situation is bad enough they have to protect the child and they will remove them from the home. Mr. Elder stated that what he really considers a success would be keeping the child safe.

Mr. Elder next explained the independent living and working and transitional daycare budget.

Mr. Elder explained that he went online and looked across the state and found the areas with the same amount of population as Appomattox and compared their eligibility workers with Appomattox and averaged it out and found that in the area of eligibility workers the average have one more eligibility worker than what Appomattox has and one and a half more social workers than what Appomattox has and Mr. Elder stated that he is requesting an additional employee for each of these categories.

Mr. Elder thanked the Board for letting him present his budget.

Chairman Craft next called on Mary Anne Freshwater the Victim/Witness Advocate to come before the Board.

Ms. Freshwater began explaining her budget and the changes of what had been given to the Board before her grant training class.

Ms. Freshwater stated that Appomattox County had been very supportive of the Victim/Witness Program since it began in 1997.

Ms. Freshwater stated that her program had grown in the ten years since she has been here and up until now this program has been totally funded by the Department of Criminal Justice Services.

Ms. Freshwater stated that the Department of Criminal Justice Services has told her the budget must be cut by eight percent which ends up paying her salary and the County will have to provide the rest of cost to cover expenses.

Ms. Freshwater explained that she would be asking DCJS to pay the salary and $1000 in FICA which totals $20,460.

Ms. Freshwater explained that travel is needed for training and also to be able to network with other advocates. Ms. Freshwater explained that the only training she attends is a training that is provided by the Virginia Network Victims and Witnesses of Crime which she is a member and she gets a reduction in price of registration. She also attends the Grant Renewal Training which is required. Ms. Freshwater explained that if there happens to be any local trainings scheduled for domestic violence she tries to carpool and attend. Ms. Freshwater stated that if she is attending a workshop she tries to team up with another County or someone to share expenses and make the workshops cost effective.

Ms. Freshwater explained that the total amount of funds requested from the County is $1773.00 and the total amount requested by DCJS is $20,460 which makes her budget total $22,233.

Ms. Freshwater expressed gratitude to the Board and previous Boards for the support they have shown to her department.

Ms. Freshwater explained that just for this year the money for VOCA funds have been reduced, she explained that money is there, it is just reduced for this year. Ms. Freshwater stated that if the Board wanted further explanation of the reduced funds she would speak with Mundy Patterson , Chief, and try to get a better explanation of the reduction of these funds.

Mr. Conrad asked Ms. Freshwater what her case load per year was and Ms. Freshwater explained that she had a case load of about 150 victims which equals to about 44 a quarter. Ms. Freshwater explained that this program is provided as a choice to victims.

Mr. Craft called for a short recess at 7:05 p.m. and called the work session back to order at 7:15 p.m.

Mr. Craft next welcomed Mr. Fred Underwood, Mr. Sonny Conner and Ms. Sabrina Smith, Registrar. Mr. Underwood explained that Mr. Foxwell could not attend the meeting tonight due to a death in the family.

Mr. Underwood stated that he would like to explain the increases that have been submitted to the Board in the Electoral Board budget. Mr. Underwood explained that

they had requested an increase in the wages for the election officials to $150 dollars per day. Mr. Underwood explained that a lot is involved that the election officials have to do on election day and they work very long hours. Mr. Underwood also explained that training is a necessity. The Electoral Board has decided to take one person from each precinct and make them the voting machine technician and only train those nine in a separate session instead of training the entire 56 election officials. This will also cut down on the cost of training.

Mr. Underwood stated that a cost is associated with the programming and testing of the voting machines. He explained that leases on equipment have increased over $3000 for a warranty and this money is used to protect the machines. Mr. Underwood stated that they had indivertibly left off the extended warranty and the company that built the machines has abandoned them and they now have 34 machines and another company has taken over the maintenance. At this time the company seems to be working well with the County. Mr. Underwood explained that they have also budgeted for replacement batteries and power supplies in case one of the machines fail, they will have a replacement.

Mr. Conner stated that the Chap precinct needed to have some siding replaced on this building.

Mr. Underwood asked if the board had any questions on the Electoral Board budget. With no questions from the Board, Mr. Underwood began to explain the Registrar's budget.

Mr. Underwood began by explaining the Registrar had been instructed to include a merit increase in her budget which she was reluctant to do, but the Electoral Board felt was deserved for someone who has been working in this position for sixteen years and still working for a minimum wage for this position.

Mr. Underwood stated that if she were to leave and her position would have to be replaced, the new person starting in this position would start out making the exact salary that she is now making and they do not feel this is fair.

Mr. Underwood stated that he felt this is an equity that needs to be addressed. Mr. Conner also stated, that on her behalf, we have never had a contested election.

Chairman Craft called for questions from the Board.

Ms. Smith stated that she did not make an appointment to speak with the Board concerning her budget. She stated that she had spoken with Ms. Ferguson and understood that if there was a question or problem with her budget, she would be notified.

Mr. Underwood stated that he is delighted to have the direct reporting voting machines and feels it was a good decision by the Board to purchase these.

Mr. Underwood also stated that they have one group who programs the machines and another group that install and test the machines. He stated that these professionals are not used during the town elections because of the cost.

Chairman Craft called for any other questions that the Board may have. Being no further questions Chairman Craft called on Sara Henderson the Commissioner of Revenue.

Ms. Henderson began by thanking the Board for helping her through the transition and also for the carpet and equipment for her office. She stated that this has been a big help.

Ms. Henderson stated that her office needs a lot of modernizing. She stated that one of her goals will be to modernize the office technology and it's the appearance.

Mr. Conrad stated that if anyone on the Board had not been to see the Commissioners office, they should do so and that he feels this office is set up in a much more conducive way to work.

Ms. Henderson stated that her biggest concern is the equipment in her office. She stated that she has many issues with computers and she has two printers that have been in her office since 1993 and they are literally falling apart and that makes it very difficult to work.

Ms. Henderson stated that she has asked for several computers in this budget and she will alternate years in asking for equipment so it will not be as difficult to fund. Ms. Henderson also stated that she would like to lease a copier instead of buying. She stated that the copier she is requesting is a copier, printer, fax and a scanner in one. Ms. Henderson stated that she is down to one copier and they are having to run upstairs just to make copies.

Ms. Henderson stated that one other thing she would like to see repaired in her office is the tile that is mismatched and falling apart in the back room that has been repaired several times but it continues to crumble. Ms. Henderson stated that she would really like to see that fixed since she is trying to get her office more presentable to the public. Mr. Tanner asked Ms. Henderson if the copier that she is having problems with could be a safety issue and that she may need to take it out of service and especially unplug it every night.

With no other questions for Ms. Henderson the Board next started discussing setting a proposed tax rate.

Ms. Ferguson stated that on an average it was a 78% increase in land values not counting new construction. This is based on the total figures.

Mr. Moore stated that the land went sky high not homes and the people who own homes not own land are going to feel a lot less taxed than land owners.

Ms. Ferguson stated that the Board needs to determine what they want to advertise as the proposed tax rate.

Ms. Ferguson reminded the Board that a rate needs to be set knowing that they cannot raise it above what has been advertised. Ms. Ferguson explained that the rate can be lowered from the advertised rate, but you cannot go any higher without advertising again.

Ms. Ferguson stated that the Board still has not addressed Social Services proposed budget which still contains two new positions and a three percent increase. Ms. Ferguson stated that she is going to request Mr. Elder to change the increase to a two percent increase which is what has been approved by the State.

Ms. Ferguson stated that she has about four employees that she is comparing their salaries with surrounding positions to see how they compare.

Ms. Ferguson stated that a two percent increase on $21,000 is $420 a year which equals to $35 a month increase and that possibly may not cover the increase in insurance.

Ms. Ferguson stated that Buckingham County is giving each employee $1000 increase. She stated that she liked this because it is an even amount for even the lowest position.

Mr. Conrad stated that you have got to look at the complexity of the job. A $1000 for a job that can be done by or is done by someone everyday is not quite fair for the person who has a more complex job.

Ms. Ferguson stated that if the Board is comfortable with her advertising the tax rate at .50 cent per 100 she will do so.

Mr. Conrad stated that it would look better advertised at .49 cent rather than the .50 cent per 100.

It was the consensus of the Board to advertise the proposed tax rate at .49 cent per 100. Ms. Ferguson stated that it would go to the paper for advertisement tomorrow.

With no further budget discussion Mr. Tanner made a motion to adjourn and Mr. Moore seconded the motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 9:00 p.m.

William H. Craft, Chairman

On Monday, April 7, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held a regular scheduled meeting at the Appomattox County Administration Building, located on 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: John K. Spencer – Assistant County Administrator
Johnnie Roark - Planner
Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant

Chairman Craft called the Appomattox County Board of Supervisors meeting to order at 6:30 p.m. and called on Supervisor Moore to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and called for the setting of the agenda. Mrs. Ferguson provided additional item 7A which was added to the agenda for consideration.

Chairman Craft next called for citizen public comments. Hearing none, Chairman Craft addressed Administrative Item #1 Public Hearing on the Proposed FY2009 budget. Chairman Craft asked the Board if they had any objections to the Public Hearing on the Proposed FY2009 budget being scheduled for April 21, 2008 at 6:15 p.m. It was the consensus of the Board to hold this public hearing on April 21, 2008 at 6:15 p.m.

Chairman Craft addressed Administrative Item #2- Region 2000 Services Authority Public Hearing. Chairman Craft stated that the Board may need the County Attorney to go over this before holding the public hearing.

Mr. Conrad stated that there is a lot of information provided in this material that the Board needs to understand that is of interest. Mr. Conrad stated that we are allowed a private hauler. Mr. Conrad stated that the Board needed to be aware of the consequences when terminating this agreement without cause. Mr. Conrad stated that he is under the impression that the Board can terminate the agreement, but in talking with Administrator, all entities that are involved in bringing us into this agreement must agree to allow us to terminate our contract.

Mr. Carter made a motion to hold a public hearing on May 19, 2008 to receive public comment on the Proposed Region 2000 Services Authority Agreement. Mr. Moore seconded Mr. Carter's motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #3 -Bid for Grass Maintenance Services. Chairman Craft ask Ms. Ferguson to explain the contract.

Mr. Ferguson explained that this individual is on call and we will call him when we want the grass cut. The price given is for each location each time he mows. Ms. Ferguson also stated that the bid was calculated this way so when we have an inmate to mow the Courthouse area we will have them mow instead of paying someone.

Mr. Conrad stated that there was a big difference in the mulching price that he has proposed compared to the other bids received.

Ms. Ferguson stated that she and Mr. Spencer had talked about the difference in mulching also and feel that it may be an error, however they did not feel it was appropriate to call the individual and ask. Ms. Ferguson explained that what staff will do is once approved by the Board call him and let him know he received the bid and then ask him if the figure given for mulching is correct since it is such a difference compared to all other bids received.

Mr. Kenner would then have the option to withdraw his bid but he would not be able to add an additional fee to the bid.

Mr. Overstreet stated that this was the problem with the last time we put grass cutting out for bid. He stated that the bid was accepted by the Board and then an error was found and that is when we had to go through a procedure.

Mr. Overstreet stated that maybe Mr. Kenner should be asked about the bid price before actually giving him the bid.

Chairman Craft stated that the Board would table this decision until a clarification is received on the price of the mulching.

Mr. Overstreet stated that the Board can accept his bid and make sure he is okay with the price or if he wants to withdraw he can, but he will not be able to alter his bid.

Mr. Conrad made a motion to accept the bid from the lowest bidder which is Special K Landscaping, Mr. Fred Kenner at the price of $1950.00 for one cutting at each location unless the owner would like to withdraw his bid due to a possible error in the mulching bid. Mr. Carter seconded this motion. Chairman Craft called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #4- Application for Entertainment Festival for Stonewall Antique Power Show to hold their annual Antique Power Show. Chairman Craft stated that the Sheriffs department had been contacted and they have not had any problems with this event in the past. The organization has asked the Board to also consider waiving the bond fee.

Mr. Tanner made a motion to approve the Application for Entertainment Festival for the Stonewall Antique Power Show to be held the weekend of May 17 and 18, 2008 and to waive the bond fee. Mr. Carter seconded Mr. Tanner's motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #5- A Proposed Amendment to the Erosion and Sediment Control Ordinance. Chairman Craft called for discussion.

After discussion, Mr. Moore made a motion to hold a public hearing to receive comment on the Proposed Amendment to the Erosion and Sediment Control Ordinance on April 21, 2008 at 6:00 p.m. Mr. Carter seconded Mr. Moore's motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #6-Planning Commission Recommendations. Chairman Craft called for discussion on the following petitions:

CUP08002-Guaranteed Network Services, Inc.-The applicant/agent Guaranteed Network Services, Inc. is requesting a conditional use permit for property located on the south side of Cabin Lane, Appomattox, Virginia. The applicant is seeking to locate a 190-foot Wireless Communications Facility on the property in order to provide wireless internet service to a portion of the county. The zoning district is Agricultural, A-1. The subject property is identified as Tax Map Number 9 (A) 22; Appomattox Lime Company, owner. The total parcel area is approximately 57.85 acres; however the area where the tower will be located is approximately 0.01 acres in size.

Mr. Tanner stated that citizens in his District are looking forward to having this service.

On a motion by Mr. Tanner, seconded by Mr. Conrad, for reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Board of Supervisors moves to approve petition CUP08002-Guaranteed Network Services, Inc. with no conditions. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

CUP08003-Guaranteed Network Services, Inc.-The applicant/agent Guaranteed Network Services, Inc. is requesting a conditional use permit for property located on the south side of Stratton Dairy Road (Route 713), Concord, Virginia. The applicant is seeking to locate a 190-foot Wireless Communications Facility on the property in order to provide wireless internet service to a portion of the county. The zoning district is Agricultural, A-1. The subject property is identified as Tax Map Number 47 (A) 32; David Stratton, owner. The total parcel area is approximately 340.5 acres; however the area where the tower will be located is approximately 0.01 acres in size.

On a motion by Mr. Tanner, seconded by Mr. Conrad, for reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Board of Supervisors moves to approve petition CUP08003-Guaranteed Network Services, Inc.

with no conditions. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented part two of Administrative Item #6- Erosion and Sediment Control Specialist.

Chairman Craft explained that Mr. Phillip Moore has accepted the joint position with Nottoway County as the Erosion & Sediment Control Specialist.

Ms. Ferguson stated that Appomattox County would be working on a specific agreement with Nottoway now that we have someone in the position.

Chairman Craft presented Administrative Item #7 – Proclamation for Mr. Wayne Lewis.

Chairman Craft ask Mr. Conrad to present the following proclamation to Mr. Lewis who recently resigned his seat on the Economic Development Authority from the Falling River District.

Proclamation in Recognition of the Service of

WAYNE LEWIS

As a Director of the Economic Development Authority of Appomattox County

WHEREAS, the Economic Development Authority of Appomattox County is responsible for coordinating the economic development activities of Appomattox County; and

WHEREAS, the vigorous and enthusiastic participation and dedication of the membership of this body is critical to the success of the Economic Development Authority: and

WHEREAS, Wayne Lewis has faithfully served as a Director of the Economic Development Authority and has recently chosen to retire his seat on this body.

NOW, THEREFORE, BE IT PROCLAIMED this 17th Day of March, 2008, that the Appomattox County Board of Supervisors extends its profound appreciation to Wayne Lewis for his diligence, hard work, and dedication to serving his community.

_____
William H. Craft, Chairman

Chairman Craft next presented Administrative Item #7a - Use of vehicles on Courtland Field. Chairman Craft explained that a request had been made by the Lions Club to use Courtland Field and also be able to have vehicles on the field for their annual event.

Mr. Conrad stated that the Lions Club Festival brought in over $30,000 last year and they are hoping that it will grow and be even bigger this year. Mr. Conrad explained that the money brought in is dispensed to civic organizations throughout the County, and addition it is also used by this organization in repairing eye glasses, hearing aids, and obtaining see in eye dogs as needed. Mr. Conrad feels certain that the Lions Club would adhere to anything the Board would ask of them to do as far as keeping the field in good condition.

Mr. Tanner made a motion to allow the Lions Club to have vehicles on the Courtland Field during the Lions Club Festival with the understanding that they repair any damage they cause to the field. Mr. Conrad seconded Mr. Tanner's motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Consent Agenda:
Approval of Bills

SUPPLEMENTAL APPROPRIATIONS
Reassessment and Assessors

1210-1001	$500.00
1210-3002	$25,200.00

Circuit Court Clerk's Office

2106-3004	$5,786.64

Sheriff's Department

3102-1002 Regular Overtime	$596.96
3102-5408 Vehicle Power Equip. Sup.	$30,008.73

Social Services
Please supplement by consent and appropriate $40,000.00 to the Social Services budget Fund 15 for additional funds received form the State and Federal government.

FUND TRANSFER:
911 Communications Center
Please transfer by consent and appropriate $37,321 from the Homeland Security Grant to 3606-7003 Communication Equipment in the 911 Center budget.

LINE ITEM TRANSFERS:
Tire Security

Please transfer by consent the following:
$9053 from 4208-1003

To the following:

4208-1001	$6804.00
4208-2002	1035.00
4208-2005	1145.00
4208-2006	69.00

Chairman Craft called for discussion on the Consent Agenda.

Mr. Conrad made a motion to approve the Consent Agenda as submitted. Mr. Carter seconded Mr. Conrad's motion. Chairman Craft called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Informational Items and with no further discussion, called on Mr. William Hix to come appear before the Board.

Mr. William Hix approached the Board and gave his address as 6834 Hixburg Road, Pamplin, Virginia 23958. Mr. Hix first thanked the Board for giving him the opportunity to speak with them and stated that he had requested an appointment to speak with the Board to ask them to consider looking at the land use issue again. Mr. Hix stated that the assessor who did his reassessment did not even get out of the vehicle and Mr. Hix stated that he did go to the Community Center and met with the assessor and requested them at the hearing to come back and take a look at his farm and they refused. Mr. Hix stated that when you have as much land as he has you do have some swamps and rocky hills.

Mr. Hix gave a handout(Board File) to the Board and explained that his interpretation of the handout is that if you own 200 acres in your first lot and another piece of land that is not five acres, and they are within a mile radius you can put them together. Mr. Hix explained that he had given this same handout to Watkins Abbitt and he is going to take it to Richmond to see what can be done.

Mr. Hix then asked Mr. Overstreet if he was familiar with any of the information that he had given the Board.

Mr. Overstreet stated that he was familiar with this information and explained the handouts are two different code provisions and the first one referred to is used by most counties and that is Section 58.1 -3231 the next section that was presented is establishing districts, or special taxing districts which is a more complicated issue and does as much ill as it does good. Mr. Overstreet stated that this is why the Board is looking at what most counties use which is the 58.1-3132 which is five acres of land or more and anyone that has the property introduction of agriculture purposes is eligible for this.

Mr. Hix stated that he has been paying $10,400 a year tax on land alone and with his figuring at the tax rate at .49 per 100, he would now have to pay $22,000 - $25,000 a year

just for land. Mr. Hix stated that a big percentage of his land is cut over land and stumps and he just does not know how it could have been appraised as high as it was.

Mr. Hix explained again that the main reason he wanted to speak with the Board was to ask them again to consider land use.

Mr. Hix thanked the Board for allowing him to come and speak to them.

Mr. Conrad asked Mr. Hix if he had an appointment to speak with the Board of Equalization. Mr. Hix stated that he did not, when he called it was too late to schedule an appointment.

Mr. Hix stated that personally the way he looked at it, was that Ms. Ferguson has already come up with the percentage that will be needed by the County. He does not feel the Board of Equalization could do anything but listen to you complain, he feels it is going to be very little that can be done.

Mr. Conrad questioned Mr. Overstreet as to if a local land use plan or local ordinance pursuant to Section has been adopted, what does that mean?

Mr. Overstreet explained that it means you can establish an agricultural district which is almost like a zoning district and when you do that real estate in that district is eligible for land use as you establish it even if you don't have a land use ordinance. A land use ordinance is for the entire County and as we have discussed before, the values are set by the Commissioner of Revenue for farm land based on data that they receive from an Advisory Board that comes from Virginia Tech.

Mr. Hix asked Mr. Overstreet to interpret what the definition of the word "shall" means in the explanation of the agricultural district.

Mr. Overstreet explained that is if you set a district which means you would have to take a section of the County and say it was agricultural district and then the items would apply to that district. Mr. Overstreet, then stated that you would not have to have a land use ordinance if you did this, but a land use ordinance is for the entire County, so anyone with five acres or more would be able to qualify for land use which is what most counties do.

Mr. Craft stated that the last item for discussion before entering into a budget work session is Supervisor Concerns.

Mr. Craft asked Mr. Tanner if he had any Supervisors Concerns. Mr. Tanner stated that he would like the Board to continue discussing land use and consider its adoption. Mr. Tanner stated that the Board has got to do something to help the farmers in this County.

Mr. Tanner stated that he is aware that if land use is not adopted by June 30, 2008 that it will not qualify for the following year. Mr. Tanner stated that already 75 counties have adopted land use and he would like it to be on the Board's agenda for discussion.

Mr. Moore also stated that he agreed with Mr. Tanner and something needs to be done and he is glad that Mr. Tanner has brought this issue up again.

Mr. Conrad stated that every year the State is funding less and less and have not lessened the requirements and the County has to make up the difference.

Mr. Conrad stated that he had spoken with Mr. Abbitt about how the state is withdrawing more and more funds and told him that the State has got to realize that there to many politics involved and it is hurting the citizens.

Chairman Craft stated that he had received information from the National Association of Counties which included a list of counties in Virginia that is having financial difficulties and five out of the six of them blamed it on the tax money not coming in from the State.

Chairman Craft stated that Mr. Bryan David had been selected to replace Mr. Lee Cobb as Economic Development Council Executive Director.

Chairman Craft presented the upcoming meetings.

Chairman Craft called for a recess at 7:20 p.m. before starting into a budget work session.

Chairman Craft called the budget work session to order at 7:27 p.m.

Ms. Ferguson explained that she has incorporated all changes made by the board at the last budget session and refigured the revenue with the proposed tax rate at 0.49.

Ms. Ferguson provided the budget synopsis which will be published in this week's Times Virginian.

Mr. Conrad questioned if the synopsis is in stone or can it be changed from what is advertised.

Ms. Ferguson explained that the Board is under no obligation to hold the tax rate at this rate until the budget is adopted. Ms. Ferguson explained that this is the purpose of the public hearing. Ms. Ferguson explained that the budget can be amended as we go along.

Mr. Conrad stated that he spoke with the County Administrator and is concerned with the tax rate being set at .49 per 100.

Mr. Conrad stated that taxes have been raised three out of the last four years one way or another. Mr. Conrad stated that every time we turn around the State is stating that they are not going to fund us for something. Mr. Conrad stated that we have the school system

asking for a budget that will give teachers a raise at 5.9 percent. Mr. Conrad stated that this increase is more than most cost of livings and he proposes as a result of this to let the School system prioritize the funds they receive, and level fund them.

Mr. Conrad also stated that based on this level funding of school funds we can lower the tax rate from .49 per 100 to .43 per 100, we could then advertise that we are reducing our tax rate by one third percent this year.

Mr. Conrad stated that he is not sure what this will do in the long run, but with the gas increase, state reducing funds, maybe it is time we stop looking like the bad guy. Mr. Conrad stated that if we have some room to deviate here maybe we should think about doing this.

Mr. Conrad stated that he would like to discuss this and then Mr. Conrad asked Ms. Ferguson to explain what impact this would have.

Mr. Conrad stated that he would like the Board to consider his suggestion.

Mr. Tanner stated that this is the worst possible time to levy and increase with everything else on the rise.

Chairman Craft stated that next year things will change again since we are considering land use again.

Mr. Conrad stated that a lot of people will not qualify for land use.

Mr. Tanner stated that is his point with land use is the true need or the true farmers we need to help the other citizens who will have to provide explicit documentation and records or they will not qualify.

Ms. Ferguson stated that she has made several adjustments since speaking with several board members last week. Ms. Ferguson stated that she had talked with Mr. Craft about how to make the salary increase fair for everyone. Ms. Ferguson stated that Mr. Craft wanted to know the affect of giving a $1000 across the board increase instead of the percentage type of increase. Ms. Ferguson stated that this would apply only to employees paid by the County. Ms. Ferguson stated that after level funding the schools and lowering tax rate to .43 per 100 the budget shortfall will be $371,157.

Ms. Ferguson stated that the budget will be short 400,000 if we go to .43 per 100 which is less tax than what you brought in last year. Ms. Ferguson explained that with a tax rate of .49 per 100 you will not be 330,000 to the good at .43 per 100 you will have a $371,000 short fall.

Mr. Carter stated that this would remove the CIP Fund money. Ms. Ferguson stated that there would be no CIP Fund and then you would level fund the school.

Mr. Carter asked if we level funded the school last year. Ms. Ferguson stated no we funded what it took to receive the state and federal funds.

Mr. Carter asked if we are jeopardizing the school by level funding them? Ms. Ferguson stated that we would have to see what the school Board states after we tell them of the budget cut. Ms. Ferguson stated that they are proposing a 5.9 percent increase with the State giving only a 2 percent increase.

Mr. Moore questioned the equalized rate.

Ms. Ferguson stated that some citizens may pay less tax while others pay more, but the only thing we can do is look at the equalized rate. Ms. Ferguson stated that you cannot look at this individually.

Mr. Moore stated that home owners will not have of much as a problem paying their taxes, because their tax rate did not increase as much as it did for land.

Mr. Tanner stated that what Mr. Conrad is speaking of in setting the tax increase lower sounds great, but we still have short fall. Mr. Tanner wants to know if there are any other areas or departments that we can ask to cut more from their budget.

Ms. Ferguson stated that the only way to balance the budget is to use surplus funds.

Mr. Conrad asked if we could possibly take money from surplus and the CIP.

Ms. Ferguson stated that she would not suggest doing that. Ms. Ferguson stated that her suggestion would be the end result of taking funds from CIP account, but not touch the operating reserve. Ms. Ferguson stated that we can make a debt service payment out of the CIP account in the amount of 427,381 and level fund school to balance budget.

Ms. Ferguson stated that we have put money in the CIP account to close the cell out and we also have borrowed money to close the cell.

Ms. Ferguson stated that we have borrowed 2.5 million to open a new cell and we will not be opening the cell, and we only use part of this money to close cell I, and we can use part of this money to fund what is needed to construct the manned sites.

Chairman Craft asked how the salary re-grades where going to be handled. Ms. Ferguson stated that the $1000 increase is already figured in this budget.

Ms. Ferguson explained that she had asked all the department supervisors in a Supervisor meeting if they were willing to take a less increase so that other employees would be able to have a better raise. All of the supervisors were willing to take a less increase so their employees would have more.

Mr. Carter stated that he wanted to go back to school budget and ask what is the state funding out of the 5.9 increase would be.

Ms. Ferguson stated that the State would fund a 2 percent increase in December not in September.

Chairman Craft called for further budget discussion

Mr. Conrad stated that the Board needs to think about all of this and stated that we do not have to make a decision tonight.

Ms. Ferguson stated that the school needs to be notified about these proposed changes as soon as possible if they are considering to level fund them.

Mr. Conrad stated that if the board is willing to consider this we need to take a letter to them tomorrow at the joint meeting of School and County officials.

Mr. Conrad stated that he had also mentioned to Mr. Abbitt about the CSA funds and Mr. Abbitt had no reply.

Mr. Tanner made a motion to adjourn the meeting at 7:55 p.m. Mr. Conrad seconded Mr. Tanner's motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:55 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, April 21, 2008 at 6:00 p.m. the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: J.G. Overstreet- County Attorney
Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator

Johnnie Roark - Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the Public Hearing to order at 6:00 p.m.

Chairman Craft welcomed everyone to the hearing and explained the Public Hearing would be to take public comment on Amendments to the Erosion and Sediment Control Ordinance and gave the procedure for speaking during this public hearing.

Chairman Craft turned the meeting over to Mr. Johnnie Roark- Planner.

Mr. Roark gave background on why this amendment is needed. Mr. Roark explained that there are a lot of changes in this ordinance. These changes actually took place in 2006. Since that time only about 5% of localities have passed the review from DCR. Mr. Roark explained that Appomattox County had a review in March of 2007 and did not get a good review. Mr. Roark stated that we are under corrective action agreement in October 2007 which gave us until May of 2008 to make some changes to our ordinance.

Mr. Roark next explained the changes, which affect more than ten sections of the ordinance which are mainly language updates that match with State Code. Mr. Roark stated that we had to add definitions then Mr. Roark explained that one of the biggest changes would be requirements for flow rate capacity, velocity requirements for natural or man made channels. Also it puts under our ordinance a variance procedure which we did not have before and a major change is the alternative inspection program. The alternative inspection program is something that is allowed in State Code and is meant for smaller localities to more effectively manage their program inspections.

Mr. Roark explained that one thing the smaller localities are having a problem with is not having the manpower or staffing to meet the requirements for inspections which will be every two weeks or within 48 hours of a rainfall.

Mr. Roark stated that smaller localities were just not able to meet the inspection requirements, so this alternative inspection program was designed which divides projects into a classification system and your determination of class is made by the Erosion and Sediment Control person evaluating the topography, soil acreage being disturbed, joining property lines, etc. Mr. Roark stated that depending on the classification is how you will know how often you will have to inspect.

Mr. Roark stated that he has given the Board a package to review with these changes and what he has told them tonight is a brief overview of all changes.

Chairman Craft asked if anyone wished to speak on these proposed changes. No one came forward to speak.

Chairman Craft called for further discussion, hearing none Chairman Craft closed the public hearing at 6:08 p.m.

William H. Craft, Chairman

On Monday, April 21, 2008 at 6:15 p.m. the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: J.G. Overstreet- County Attorney
Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
Johnnie Roark - Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the Public Hearing to order at 6:15 p.m.

Chairman Craft explained that the Appomattox County Board of Supervisors will be holding a public hearing on the proposed FY2009 budget. Chairman Craft explained the procedure for addressing comments to the Board during this public hearing.

NOTICE OF PUBLIC HEARING
COUNTY OF APPOMATTOX

Condensed Synopsis of
Proposed Budget for FY09 (July 1, 2008 to June 30, 2009)

This Budget Synopsis is prepared and published for information and fiscal planning purposes only. The inclusion in the Budget of any item does not constitute an obligation or commitment on the part of the Board of Supervisors of Appomattox County to appropriate funds for that line or purpose. There is no allocation or designation of any funds of Appomattox County for any purpose until there has been an appropriation for that purpose by the Board of Supervisors.

GENERAL REVENUES:

LOCAL	
General Property Taxes	12,343,127
Permits, Privilege Fee & Regulatory Licenses	113,100
Fines & Forfeitures	30,000
Charges for Services	305,612
Revenues from Use of Money & Property	384,045
Miscellaneous Revenue	86,502

Recovered Costs	20,650
COMMONWEALTH	
Payment in Lieu of Taxes	30,000
Non-Categorical Aid	143,842
Shared Expenses	2,099,573
Categorical Aid	1,524,501
FEDERAL	
Payment in Lieu of Taxes	4,200
OTHER FINANCING SOURCES	
Transfers In	664,501
SCHOOL (FUND 10)	
Other Funds	109,850
State Funds	15,549,986
Federal Funds	1,359,492
Transfer In (Cafeteria)	946,170
Transfer In (textbooks)	300,000
CSA- ADMINISTRATIVE - (FUND 14)	9,201
VIRGINIA PUBLIC ASSISTANCE (FUND 15)	1,261,976
TOTAL REVENUE	37,286,328

EXPENDITURES:

General Government Administration	1,495,287
Judicial Administration	1,007,762
Public Safety	3,644,365
Public Works	1,415,869
Health and Welfare	2,780,834
Education	22,502,957
Parks and Recreational, & Cultural	528,604
Community Development	883,889
Non-Departmental	10,000
Capital Improvement Fund	443,955
Debt Service	2,281,160
Capital Projects	291,646

TOTAL EXPENDITURES		37,286,328
TAX RATES 2008		
REAL ESTATE	$0.49	per one hundred dollars of assessed valuation
PERSONAL PROPERTY	$4.60	per one hundred dollars of assessed valuation
MERCHANT'S CAPITAL	$1.00	per one hundred dollars of assessed valuation

NOTICE

A public hearing will be held by the Board of Supervisors on April 21, 2008 at 6:15 P.M. at the Community Center, at Appomattox, Virginia, to consider the foregoing proposed budget estimates. The Proposed budget may be examined Monday through Friday from 8:00 A.M. to 4:30 P.M. at the Office of the County Administrator. All interested citizens will have the opportunity to give written or oral comment at the hearing. Senior citizens and handicapped citizens are encouraged to attend. All public meetings are accessible to persons with handicapped conditions. Any person requiring auxiliary aids, in connection with the public hearing should notify the County Administrator at least five (5) days prior to the time of the hearing.

BY THE ORDER OF THE
APPOMATTOX
COUNTY BOARD OF SUPERVISORS

AILEEN T. FERGUSON
COUNTY ADMINISTRATOR

Chairman Craft called for anyone who wished to speak to come forward, give their name and address, prior to making comments.

Ms. Ferguson stated that each Board member had been given a letter from Chairman Williams of the School Board to consider prior to adopting the budget.

With no public comment, Chairman Craft declared the public hearing on the Proposed FY2009 budget closed at 6:16 p.m.

William H. Craft, Chairman

On Monday, April 21, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Carter to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and called for the setting of the agenda. Ms. Ferguson provided additional items to be added to the consent agenda for consideration. Mr. Tanner made a motion to approve additional items to the agenda. Mr. Conrad seconded Mr. Tanner's motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next called for citizen public comments.

With no public comments, Chairman Craft presented Administrative Item #1- Blue & Gray Houndsman Club. Chairman Craft called for discussion from the Board on this item.

Mr. Tanner stated that a lot of youth are involved in hunting and this could bring revenue into the County. Mr. Tanner made a motion to approve for the Blue & Gray Houndsman Club to use the field adjacent to the Oakville Ruritan Club for extra parking during a coon hunt event. Mr. Carter seconded Mr. Tanner's motion. With no other discussion Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #2- Establishment of a Central Absentee Precinct.

Chairman Craft referred to the revised code section and called for any questions that the Board may have.

Mr. Carter asked when the Town holds their elections they utilize two voting machines and is it his understanding that Mr. Underwood is saying he does not have enough machines to have an election even if they establish a central location?

Mr. Overstreet stated that he has enough machines for establishing a central location.

Mr. Conrad stated that in using two machines is it going to be in the same location at all times?

Ms. Ferguson stated that this is for absentee voting and this will be used for Town and County elections which will be done prior to Election Day.

Mr. Carter stated that the only additional expense will be for the hours as described.

Mr. Carter made a motion to hold a public hearing to make revisions to the Elections Ordinance to address the absentee voting changes on May 19, 2008. Mr. Conrad seconded Mr. Carter's motion. Chairman Craft called for further discussion, with no other discussion Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #3 – Statement of Agreement with the Health Department.

Chairman Craft called for any discussion. With no discussion Mr. Conrad made a motion to enter into the agreement with the Health Department. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for the vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The next item for discussion is Administrative Item #4- Agreement for Professional Consulting Services.

Chairman Craft called on Mr. Bobby Wingfield, Public Safety Director, to come before the Board and explain this addendum to the service contract with Timmons Group.

Mr. Wingfield stated that basically what we have is parcel data on paper and this will give us the opportunity to put the data in the computer so we will be able to locate who lives where and it will give us the ability to look up addresses immediately.

Mr. Overstreet stated that he would like to see the Board and Mr. Wingfield do a sole source procurement on this. Mr. Overstreet explained that we have amended this agreement with Timmons once before for optional services and that is what we are doing here is an addendum to that base contract which is dated 2003 which is five years old.

Mr. Overstreet feels it is okay to do this but at the same time feels that it is stretching the issue.

Mr. Overstreet stated that he has asked Mr. Wingfield and Mr. Roark to put some language in the addendum that he has prepared to explain why this is a sole source. Mr. Overstreet also stated that there is another stage that goes with this project that will have to go out for bid.

Mr. Wingfield explained that the main purpose for this is the public safety point of this parcel data. Mr. Wingfield explained that there are some side benefits to use which would be on the parcel data for the Commissioner of Revenue and Zoning Office.

Ms. Ferguson stated that this does allow our office to use this for other purposes like zoning and other things of that nature, but the primary use would be public safety.

Mr. Tanner commended Mr. Wingfield on the work he has done in securing these grants.

Chairman Craft called for other questions that the Board may have.

Mr. Overstreet stated that he wanted this approved as an addendum as well as a sole source procurement.

Mr. Tanner made a motion to approve addendum #2 with Timmons Group for services noted in the parcel conversion proposal as a sole source procurement. Mr. Carter seconded Mr. Tanner's motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented a proposal on the waterline from the Town of Appomattox.

Mr. Carter made a motion to table this item until the May 19th meeting which would enable each board member to digest the proposal and to also see what type of impact the Town election may have on this. Mr. Tanner seconded Mr. Carter's motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented administrative item # 5A- Land Use Assessment.

Mr. Overstreet stated that Mr. Moore and Mr. Tanner would have to answer a declaration of conflict of interest. Mr. Overstreet read the declaration Section 2.2-3112.A2 and 2.2-3115G in the Code of Virginia. Mr. Moore and Mr. Tanner both declared that the statement was correct.

Mr. Tanner stated that one of the main reasons he ran for the Board of Supervisors was to see to the overall welfare and good of the County and its citizens. Mr. Tanner stated that one of the corner stones of this County is the farmers and he has seen some farmers that

were not able to keep their land. He would like to ask Mr. Overstreet to prepare an ordinance on land use to help the farmers to keep from losing their land.

Mr. Conrad stated that he was under the impression that the Board would be reviewing land use extensively after the budget was completed. Mr. Conrad stated that he is sure that Mr. Overstreet and Mr. Tom Morrell can give them some valuable information and the Board needed to set up a time to revisit this issue.

Mr. Tanner stated that he was fine with allowing the Board more time to set up a time to work more on this issue however, he does not want to miss the cut off date which is June 30th . Mr. Tanner stated that if we miss this date we will have to wait another twelve months.

Chairman Craft stated that the Board needed to set a date to hold a public hearing on this issue.

Mr. Tanner made a motion to hold a public hearing on the land use on June 2nd. Mr. Moore seconded Mr. Tanner's motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Ms. Ferguson stated that if we are going to hold a public hearing we will need to have an ordinance.

Mr. Overstreet stated that he would have an ordinance in order for the Board to hold their public hearing on June 2nd, 2008.

Chairman Craft next presented the Consent Agenda.

CONSENT AGENDA
Approval of Minutes
Approval of Bills

SUPPLEMENTAL APPROPRIATIONS
Animal Control
Please supplement by consent and appropriate $100.00 to 3501-5402 Food supplies for donation received.

Library
Please supplement by consent and appropriate $1136.83 to the following line items for donations received, book replacement fees and book sales:

7301-5401	Office Supplies	519.61
7301-5411	Books	117.22
7301-5415	Summer reading	500.00

Library
Please appropriate by consent $1500.00 to part time salaries in the Library budget for the reasons explained in the letter by Dr. Morris, Library Director.

Sheriff's Department
Please supplement by consent and appropriate the following to the various line items in the Sheriff's budget:

3102-1003 Part time salaries	$10,000.00
3102-1002 Overtime	3,324.86
3102-2001 FICA	164.91

Circuit Court Clerk's Office
Please supplement by consent and appropriate $6,518.15 to the Clerk's budget for reimbursement received from the Technology Trust Fund.

Erosion and Sediment Control Budget
Please supplement by consent and appropriate the following:

8205-1001 Salary	$8,667.00
8205-2001 FICA	663.00
8205-2009 Unemployment Ins.	44.00
8205-2005 BCBS	1,158.18
8205-2002 VRS	1,317.33
8205-2006 Group Life Ins.	87.00

LINE ITEM TRANSFER
Animal Control
Please transfer by consent $200.00 from 1101-5804 Operating Reserve in the Board of Supervisors budget to 3501-5802 Claims and Bounties in the Animal Control Budget.

Sheriff's Department
Please transfer by consent $212.22 from 3102-1002 in the Sheriff's budget to 3102-1004 in the Sheriff's budget.

Mr. Conrad made a motion to approve the Consent Agenda as submitted. Mr. Tanner seconded the motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Information Items and asked for any comments.

Mr. Conrad stated that on Information Item #16 – Spring 2008 Transportation Finance Overview that the State is going to cut an enormous amount of money and this will have a long term effect on us.

Chairman Craft next called for Supervisor Concerns.

Mr. Carter stated that due to the campaign signs that have been placed in Town, he would like to address a concern of citizens as to whether he is running for Town Council. Mr. Carter stated that he has served on the Town Council in previous years and maybe that is

where this is coming from, however, Mr. Carter stated that he is honored to now be serving on the Appomattox County Board of Supervisors and that he is not running for Town Council.

Mr. Conrad stated that he had served on the panel for interviewing candidates for district director for the health department and they interviewed two candidates however neither of them have been chosen at this time, but both have admirable qualities and he is sure that one of them will be chosen and when he gets that information he will share it with the Board.

Mr. Tanner stated that he had met with some school officials and took a school tour and he would like to suggest that the entire Board meet and tour the school and look at some of the concerns that they have.

Chairman Craft stated that after talking with members of the School Board, they have convinced him that they need the $18,000 they was previously cut from their FY2009 budget so they are able to receive all the state and federal funds.

Chairman Craft next presented the upcoming meetings.

Mr. Carter made a motion to adjourn the meeting and Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:45 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, April 21, 2008 at 7:00 p.m. the Appomattox County Board of Supervisors held a joint public hearing with the Appomattox Planning Commission at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Present: Planning Commission:	Steve Conner Calvin Tanner

George Almond
Chad Millner
Susan Hudson
Kevin O'Brien
Shannon Dews
Marvin Mitchell
Bryan Baine

Absent: Barry Morris

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft and Chairman Almond called the joint meeting to order at 7:00 p.m.

Chairman Craft explained the purpose of the public hearing and called on Mr. Roark to give his presentation of proposed petitions.

Mr. Roark presented petition RZ-08001 of Judith Walker, who is requesting to rezone two parcels. The first parcel to be rezoned from A-1 to B-1 is located on the North side of Route 460. The second parcel to be rezoned from R-1 to B-1 is located on the South side of Route 460. The parcels to be rezoned are parcels 61(A)56 and 61(A)55 and the total amount of acreage for both parcels is 10.16 acres. Mr. Roark explained that applicant is not sure what she wants to do with these parcels after they are rezoned.

Chairman Craft called for comments on this petition.

Ms. Judith Walker – 3710 Richmond Highway, Spout Spring, Virginia, addressed the Board and stated that she is requesting this rezoning with no specific plans in mind. Ms. Walker stated that she has a business as a beautician and her business is growing and she anticipates either starting another business in a different location or looking at expansion. Chairman Craft called for other comments.

Ms. Faye Franklin came forward and stated that her property adjoins Ms. Walker's property and wants to know how this is going to affect adjoining property.

Chairman Craft explained to Ms. Franklin that she would have an opportunity to have her questions answered in the Planning Commission meeting.

Chairman Craft called for other comments.

Mr. Richard Stedman came forward and gave his address as 1520 Country Club Road, Appomattox, Virginia. Mr. Stedman stated that he opposes this petition since the application that he received had limited information on what the proposed use would be. Mr. Stedman stated that after hearing what Ms. Walker had to say tonight he was still opposed to this petition.

Chairman Craft called for other citizens who would like to speak for or against these petitions. With no other comments, Chairman Craft closed the public hearing at 7:16 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, April 28, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held a Public Hearing on the FY09 Proposed Tax Rate at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: J.G. Overstreet- County Attorney
Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
Johnnie Roark - Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the Public Hearing to order at 6:30 p.m. and everyone joined in the pledge of allegiance to the American Flag.

Chairman Craft explained that the purpose of the Public Hearing would be to receive public comment on the Proposed FY09 Proposed Tax Rate. Chairman Craft explained the procedure for addressing the Board during the public hearing.

Chairman Craft next called on Mr. Tom Schmutz to come and address the Board.

Mr. Tom Schmutz came forward and gave his address at 1656 Beckham Road, Concord, Virginia. Mr. Schmutz stated that he feels the tax rate is going to cause a hardship on a lot of people this year. Mr. Schmutz then stated that he would like to commend the Board for considering land use for the next year.

Mr. John Hix came forward and stated that he had a question. He stated that he did not think he would be able to pay his taxes this year and wanted to know if the Supervisors are going to sell some land to make up for this and he was also wondering if the citizens or the supervisors get to pick what land the County is going to sell to make up for this.

Chairman Craft called for other comments, hearing no comments, Chairman Craft closed the public hearing at 6:38 p.m.

William H. Craft, Chairman

On Monday, April 28, 2008 at 6:38 p.m. the Appomattox County Board of Supervisors held a Special Meeting on the FY09 Proposed Tax Levy at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: J.G. Overstreet- County Attorney
Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
Johnnie Roark - Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called for discussion from the Board on setting the FY09 tax levy.

Ms. Ferguson explained that the first thing that the Board needed to do was reverse the two items that are on the agenda. The first thing that needed to be done would be to adopt the FY09 Budget with any needed changes and then the Board could adopt the tax levy.

Chairman Craft stated that the budget was ready for adoption with the exception of considering reinstating $18,608 to the School Board budget. This would allow the School Board to be able to receive all of the State and Federal funds.

Mr. Conrad stated that originally the Board had said they would reduce the School Budget and then reduce the tax rate. Mr. Conrad stated that the Board has the opportunity to this year reduce the tax levy where other counties are having to raise

theirs. Mr. Conrad stated that his suggestion would be to reduce the tax levy and refigure the budget.

Ms. Ferguson stated that with the new information that she has provided the Board tonight that they need to recognize that the amount of revenue that we are anticipating this year and what she has already reduced for FY2009 is being reduced by the State in the amount of $123,707. This is money the Board had not talked about during previous budget work sessions.

Ms. Ferguson stated that the Board can choose the area they want to make these reductions.

Mr. Conrad stated that the State is reducing their funds for programs that the locality must continue providing, which in turn makes the locality have to raise taxes. Mr. Conrad stated that the State continues to say they are not raising taxes, however they continue mandating these programs with unfunded mandates and the locality has to provide the funds.

Mr. Carter questioned if a reduction could be made in the $931,588 which is budgeted for the CSA program.

Ms. Ferguson explained that in FY09 budget the CSA budget has been reduced by $36,694.

Ms. Ferguson stated that she had given the Board this handout on additional reductions to make them aware. Ms. Ferguson stated that she will be working with Mr. Overstreet and VACo to find out the best avenue to use in making these reductions to cost the County the least amount of heartache in the future. Ms. Ferguson stated that initially she had thought she would take the reductions out of CSA and it still may be the best possibility, but feels that all options should be looked at. Ms. Ferguson stated that there are three options to look at all of them should be looked at closely before making a decision.

Mr. Overstreet stated that giving the State a check back in the amount of additional reduced funds may give the Board the most flexibility.

Ms. Ferguson explained that the Board can choose which way is best for the County to pay these funds to the State. The Board could choose to take a reduction in each department and the State will withhold those funds.

Ms. Ferguson stated that this is extremely complicated and she will be studying all options before making a recommendation to the Board.

Ms. Ferguson stated that this reduction will affect all departments other than the School.

Ms. Ferguson stated that when she initially worked the budget up it was based on revenue at .46 cent per 100 and with that we were some what short, but not drastic and it was an

amount that she would be comfortable taking from the reserves. Ms. Ferguson stated that was also without the additional $120,000 funds being reduced by the State.

Ms. Ferguson explained that at .49 cent per 100 which is the tax rate that was advertised, there would be money that could go into the capital improvement fund in the amount of $291,000, so, now we would have to remove this amount totally if the Board wishes to set the tax rate at .43 cent per 100. Ms. Ferguson stated that she wanted to make the Board aware that we are not going to bring in the revenue that was anticipated this year because of the reduced reimbursement to us from the State.

Mr. Conrad stated that something needs to be conveyed to the State about what impact their cuts are having on the localities.

Mr. Tanner agreed with Mr. Conrad in setting the tax rate at .43 or .44 cent per 100, but is however, concerned about what impact this will have on the County next year.

Ms. Ferguson explained that at .43 cent per 100 we were anticipating one debt service payment of $451,000 coming out of bond money and the balance of the shortage not counting the $18,000 dollars that we have talked about adding back to the School budget, coming from reserve funds. This amount is approximately $371,157. So we would need to add $123,707 to that $371,157 and that is what would need to be taken from the operating reserve in order to balance the budget.

Mr. Craft stated that if land use is adopted this will cause another change in the tax rate for the next year.

Mr. Tanner stated that he is not advocating raising taxes, but is concerned in what is going to happen next year if we go with land use or not we need to be fair to the citizens this year and mindful of what the future hold for us with this tax rate we set.

Mr. Carter made a motion to adopt the FY2009 budget with changes as discussed. Mr. Moore seconded the motion.

Ms. Ferguson stated that she needed to clarify that the motion was to adopt the budget as advertised reducing the capital projects by $291,646 and adding back to the school budget $18,710 dollars to allow them to receive all matching funds.

Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Carter made a motion to set the tax levy at .44 cents per 100 assessed value. Mr. Craft seconded Mr. Carter's motion.

Chairman Craft called for further discussion and hearing none called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

With no further discussion the special meeting was adjourned at 6:58 p.m.

William H. Craft, Chairman

On Monday, May 5, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building located at 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Absent: J.G. Overstreet – County Attorney

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Tanner to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and then called for setting of the agenda.

With no changes to the agenda, Chairman Craft proceeded to the Public Comment Session. Hearing none, Chairman Craft moved on to the next item setting a date to hold a public hearing on a proposed land use assessment ordinance.

Mr. Conrad stated that the Board needed someone to come and speak with the Board on land use to give the Board a better understanding of what can be done. Mr. Conrad suggested Mr. Tom Morelli from the Department of Taxation come and discuss this with the Board. Mr. Conrad stated that this should be done prior to the Board holding a public hearing.

Ms. Ferguson stated that she would give Mr. Morelli a call to see if he could attend the May 19th, Board meeting.

Ms. Ferguson stated that a public hearing still needed to be scheduled at tonight's meeting so that advertisement deadlines can be met.

Mr. Conrad stated that the Board needs to have a list of things we do not understand completely or questions the Board may have.

Ms. Ferguson explained that Mr. Morelli is with the Department of Taxation and explained that someone could possibly come to Appomattox from Virginia Tech if Mr. Morelli is unable to attend the May 19th meeting.

Mr. Conrad stated that he is interested in anyone who can come to the meeting and speak to the Board who has in-depth knowledge and an unbiased opinion of land use and can answer questions that the Board may have.

Mr. Moore questioned if we cannot get someone here on May 19th can we schedule a special meeting to have someone come in.

Ms. Ferguson asked the Board how much time they wanted to allow for the Public Hearing on land use. She also explained that the Board could schedule a certain amount of time and then recess and go back to the Public Hearing.

It was the consensus of the Board to schedule the Public Hearing on Land Use for June 2nd , 2008, at 5:30 P.M.

Ms. Ferguson then asked the Board if they were comfortable with the draft ordinance that they have been provided.

Mr. Tanner stated that he had reviewed the draft ordinance and felt that Mr. Overstreet had done a good job.

Chairman Craft questioned if the Board could have the public hearing first and then have Mr. Morelli come and speak.

Ms. Ferguson stated that she agreed with Mr. Moore if Mr. Morelli can not come to speak with the Board on May 19th, the Board should consider scheduling a special Board meeting for him to come and speak before the Public Hearing.

Mr. Conrad stated that it is very important that we have someone come and educate the Board so that we are able to answer all questions from citizens.

Ms. Ferguson stated that the Board needs to be very careful in interacting with citizens during the Public Hearing.

Mr. Conrad stated that he would not consider interacting with citizens during the Public Hearing however; he feels that the Board needs to know how to answer their questions.

Mr. Carter questioned if the Board can change the criteria in the ordinance? Ms. Ferguson stated that the criteria used is from the State Code and cannot be changed.

Ms. Ferguson read the following declaration pursuant to Section 2.2-3112.A.2 and 2.2-3115G Code of Virginia and asked Mr. Moore and Mr. Tanner, if they would be able to make this declaration.

I hereby declare that I have a personal interest in the transaction of adopting Land Use taxation in Appomattox County by virtue of my ownership of real estate in the County which may be eligible for Land Use. Therefore, I am a member of a group that may be affected by this transaction.

I declare that notwithstanding the above, I am able to participate in this transaction fairly, objectively, and in the public interest. Both Mr. Moore and Mr. Tanner agreed to this declaration.

Mr. Tanner made a motion to schedule a Public Hearing on Land Use, June 2nd , 2008 at 5:30 p.m. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #2 A Proposed Amendment to the Erosion and Sediment Control Ordinance.

Mr. Roark, County Planner explained that there would be more changes in the Erosion and Sediment Control Ordinance that the new Erosion and Sediment Control Officer would like to change to be in compliance with the Department of Conservation and Recreation.

Mr. Conrad questioned if the Board would have to approve these additional changes.

Mr. Roark stated that the Board would need to hold a public hearing and then vote to adopt any changes that would be made to the ordinance.

Chairman Craft called for further discussion, hearing none Mr. Conrad made a motion to adopt the proposed amendment to the Erosion and Sediment Control Ordinance. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #3 Planning Commission Recommendations.

Mr. Conrad stated that our Comprehensive Plan indicates that this type of rezoning is something the Board needs to closely review.

Mr. Conrad stated that he is confused as to why three members of the Planning Commission descended on this because they had concerns that the use for the entire

property was not given, and by rezoning this property to commercial any number of permitted uses could locate there with minimal oversight.

Mr. Conrad stated that the Board would be voting to rezone to B-1. If and when any businesses will locate there under conditional use then that would come under a separate analogy so he is not sure why any of the members would have disagreed with this request.

Mr. Roark stated that if the three members of the Planning Commission had known the proposed use of the rezoned parcel they would have voted in favor.

Mr. Conrad stated that he felt that based on the Comprehensive Plan the Board should vote in favor of this request.

On a motion by Mr. Tanner seconded by Mr. Carter, for reasons of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Board of Supervisors moves to approve petition RZ08001-Judith A. Walker to rezone Tax Map # 61 (A) 56 & Tax Map #61 (A) 65, totaling 10.16 acres from R-1, Residential District and A-1, Agricultural District, respectively to B-1, Commercial District. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next called on Johnnie Roark, County Planner, to come and explain the changes in planning and zoning; that is a transportation determination that will be in effect as of July 1, 2008. Beginning July 1, 2008 the petitioner will be mandated to give a specific use in the application and the locality will have to make a determination based on the specified use and then look up in a transportation manual as to whether that type of use will necessitate a traffic impact analysis. This is also something that the County will have to put in the Comprehensive Plan.

Mr. Conrad asked what the time limit would be on getting this done. Mr. Roark stated that the traffic study is good for one year. If the petitioner comes back longer than a year it would have to be taken back to VDOT and have them decide if another study would need to be done.

Mr. Roark explained that if there was change of use, another study would need to be done.

Mr. Conrad stated that he understood several months ago, in discussion there was not enough growth at that time where it would not make that much of a difference.

Mr. Roark explained that any type of development of subdivisions or any kind of proposal for rezoning or conditional use permit, he would have to be look up the use code in the transportation manual and it is clearly stated in the law that this has to be in public records in the minutes of either the Board of Supervisors or the Planning Commission, whatever the determination it has to be stated in those minutes.

Mr. Roark stated that if the petitioner meets the threshold that is stated clearly or if they do not meet the threshold you must put this in the minutes and state that a 527 Review was done and the project did not meet the threshold for a study. Mr. Roark stated that the problem with this is we have time limits on rezoning by state code and our time limits for that and the time limits for the VDOT review are different, so, the interpretation that the County is getting from VDOT is that if a traffic study has to be done during the rezoning process and it stops when it is sent to VDOT. It would start again after receiving the comments back from VDOT.

Ms. Ferguson stated that she does not agree with doing this at the rezoning process.

Mr. Roark stated that the determination of a needed study is based on what the petitioner tells him.

Mr. Roark explained that this will take effect July 1, 2008.

Mr. Carter questioned how the County was going to let all citizens know that this is something that will need to be done.

Mr. Roark stated that he has been telling every contactor or developer that he comes in contact with about these changes.

Mr. Conrad asked if a citizen comes in with several scenarios of uses, could they submit all three. Mr. Roark stated that they could submit all threes for review and if they met the threshold for a study it would have to be done.

Mr. Roark stated that it would cost $1000 for VDOT to review.

Chairman Craft next introduced Mr. Gary Christie, Executive Director for Region 2000 Local Government Council to come and speak to the Board.

Mr. Christie stated that he wanted to speak with the Board to keep them posted on things going on.

Mr. Christie explained that he was speaking before the Board to give the Board an update on various projects that Region 2000 has been working with. Mr. Christie gave an update on the Commonwealth Transportation Enhancement Grant and stated that it has taken a good step forward. Mr. Christie explained that Kelly Hitchcock has been working with the Town of Appomattox on the Pedestrian Access Plan which looks at sidewalks, cross walks, safe routes to school, and this process will continue until the end of this calendar year. Mr. Christie briefly explained that Region 2000 continues to work with Pamplin and stated that they now have two CDBG Grants which has enabled them to renovate about 21 homes which included rebuilding or building new homes for seven families and disposed of five trailers and four families moved into ownership through this program.

Mr. Christie briefly updated the Falling River Watershed and stated it is complete for the southern part of this county. Mr. Christie explained that copies of the report to the EPA concerning this project can be found on the Region 2000 website if any of the Board wished to review.

Mr. Christie explained that the Regional Disability Services Board had been looking at developing a fund proposal for funds from Richmond and thanked Mr. John Spencer for his participation on this Board and representing Appomattox County.

Mr. Christie stated that they are now getting ready for the Regional Landfill and stated that on the May 19th, meeting the Board will be asked to approve a resolution to join the Authority. Mr. Christie also thanked Mr. Tanner for participation on the Local Government Council.

Mr. Christie thanked Mr. Carter for his participation on this Board for the past several years and explained that the Local Government Council does a lot of grant writing and a lot of public administration, but also an important part of the Council is getting to know your neighbors and fellow public officials on a one to one basis. Through this friendship, the Local Government Council appreciates Mr. Carters' service to this Board and presented Mr. Carter with a region map that is signed by all Local Government Council members and the Staff of Region 2000.

Mr. Carter thanked Mr. Christie and his staff for all that they do for the Region.

Mr. Christie then asked the Board if they had any questions for him, hearing none, Chairman Craft thanked Mr. Christie for coming and updating the Board on these regional projects.

Chairman Craft next presented Administrative Item #4 Library Board Appointment.

Mr. Tanner stated that he had spoken with Ms. Cindy Walker and she is willing to serve on the Library Board representing the Wreck Island District.

Mr. Tanner made a motion to appoint Ms. Cindy Walker to fill Ms. Cindy Guill's unexpired term on the Library Board and then reappoint her to a full four year term beginning July 1st, 2008.

Mr. Conrad seconded Mr. Tanner's motion and Mr. Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #5 – Position Description.

Chairman Craft questioned the weight capacity for this position as to if it is correct is stating the person in this position should be able to lift 100lbs. This sounds like an excessive amount. Chairman Craft also questioned the minimum salary.

Ms. Ferguson stated that the salary is extremely low and now would be the time if the Board would like to change this to do so.

Mr. Carter agreed with changing the minimum salary of this position.

Ms. Ferguson stated that she would review this salary range with other localities and see what they pay the same or similar position.

Chairman Craft explained that the Board could go ahead and approve this job description and allow Ms. Ferguson to review the weight capacity and minimum salary range with neighboring localities and make amendments.

Mr. Carter made a motion to approve the job description with the noted additions. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #6- James River State Park Open House.

Ms. Ferguson stated that she planned on attending this event and if any member of the Board would like to attend, the office would RSVP for them. Ms. Ferguson stated that the office would need to RSVP by May 12, 2008.

Chairman Craft next presented the Consent Agenda.

Mr. Conrad made a motion to approve the Consent Agenda as submitted; Mr. Carter seconded Mr. Conrad's motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Information Items.

Mr. Conrad stated that Ms. Scott does an excellent job with her CSA reports and would like to commend her for this.

Chairman Craft next called for Supervisor Concerns.

Mr. Tanner stated that he would like to comment on the departmental reports. He would like to ask that they spell out and not use acronyms.

Mr. Conrad stated that after speaking with Ms. Ferguson about the unfunded mandates, that he would like to suggest contacting the surrounding Counties and have a letter sent to our delegate and senator indicating how the Counties are trying to keep taxes down and then the States mandates all these programs while dropping funds and then the County is held responsible with funding these programs.

Mr. Craft stated that he took Mr. Moore's place on the Community Services Board and they are $881,000 in the red this year. They will be cutting the ARISE program because

of no funds. Thirty employees will be shifted and some may loose their job and raises will be cut also.

Chairman Craft reviewed the upcoming meetings for May, 2008.

Mr. Tanner made a motion to adjourn the meeting; Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Meeting adjourned at 7:35 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, May 19, 2008 at 5:45 p.m. the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:

Board of Supervisors
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present:

Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Craft called the Public Hearing to order at 5:45 P.M. Chairman Craft explained the purpose of this public hearing would be to receive public comment on amending Section 147-45 of the County Code for the Tax Year 2008 changing the due date for the June Real Estate Tax payment from June 6th to June 27th, 2008.

Chairman Craft called for citizen comments. Hearing none, Chairman Craft closed the public hearing at 5:47 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, May 19, 2008 at 6:00 p.m. the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:

Board of Supervisors
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present:

Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Craft called the Public Hearing to order at 6:00 p.m. and explained that the purpose of this public hearing would be to receive public comment on amending Section 15-4 District Boundaries and Polling Place of the County Code.

Chairman Craft called on Mr. Fred Underwood, Electoral Board to come forward and explain this ordinance change. Mr. Underwood gave a brief demonstration on the usage of the voting machine which will be equipped for use by the handicapped. Mr. Underwood explained that the State has mandated that every county must have at least one of these machines. Mr. Underwood explained that all of the voting machines that Appomattox County presently own have this capability, however we must use each of them during the general election. Mr. Underwood stated that it is mandated that this machine must be available for absentee voting. He feels the best solution would be to have a machine set up for a central absentee precinct. Mr. Underwood explained that this would be the tenth precinct which would be called the central absentee precinct.

Mr. Tanner asked if there would be advertisement of this and Ms. Smith and Mr. Underwood explained that there would really be no change, everyone would still come to the Registrar office.

Mr. Conrad questioned that there would be one additional precinct that would take care of all the precincts for absentee voting and will stand on it own when counting.

Chairman Craft called for citizen comments or questions. Hearing no comments from citizens, Chairman Craft closed the Public Hearing at 6:06 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, May 19, 2008 at 6:15 p.m. the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:

Board of Supervisors
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present:

Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Craft called the Public Hearing to order at 6:15 p.m. and explained that the purpose of this public hearing would be to receive public comments regarding a Resolution before the Appomattox County Board of Supervisors allowing Appomattox County to become a member of the Region 2000 Services Authority, which has been established among the Cities of Lynchburg, and Bedford, and the Counties of Nelson, and Campbell to provide regional solid waste services to the localities, and to aprove the First Amendment to the Region 2000 Services Authority Member Use Agreement.

Chairman Craft called on Mr. Clark Gibson, Solid Waste Director for the Services Authority. Mr. Gibson stated that on behalf of the Services Authority Board and himself that he is excited that we are looking to become a part of the Services Authority and he looks forward to working with Appomattox County.

Chairman Craft called for other citizen comments, hearing no citizen comments; he declared the public hearing closed at 6:18 p.m.

William H. Craft, Chairman

On Monday, May 19, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held a regular scheduled meeting at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:

Board of Supervisors
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present:

Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the regular scheduled meeting to order at 6:30 p.m. and asked Mr. Conrad to deliver the invocation. Everyone joined in the pledge of allegiance to the American Flag.

Chairman Craft next called for setting of the agenda. Ms. Ferguson stated that she had an item to add to the Consent Agenda which would be Administrative Item #6A-Holiday Request.

Chairman Craft called for citizen comments, hearing none Chairman Craft called on Mr. Conrad to introduce the guest speaker.

Mr. Conrad introduced Mr. Tom Morelli, property tax consultant, from the Virginia Department of Taxation. Mr. Conrad explained that Mr. Morelli is here to provide information and data on Land Use which is an issue that has been before the Board in the past and is now coming before the Board again. Mr. Conrad explained that Mr. Morelli would be giving an overview of Land Use and also will give the Board a chance to ask questions.

Chairman Craft clarified that Mr. Morelli would not be answering questions on the price of land, his expertise is in rules and regulations of land use.

Mr. Morelli presented the Board with a handout that gave the highlights of a Land Use Ordinance.

Mr. Morelli began by giving a brief history of his experience in land use. Mr. Morelli stated that he has been working with the Property Tax Unit for about thirty six years. Mr. Morelli stated that Land Use is nothing new to Virginia. He explained that the General Assembly adopted this in the early 70's. Mr. Morelli stated that Virginian's had to amend the constitution, which was done in the early 60's. He also stated that since the original drafting of this ordinance there has had very little change.

Mr. Morelli explained that the four main categories for land use and the minimum acreage for each of them being as follows- agriculture and horticulture is a minimum of five acres. The Forestry category is a minimum of twenty acres and for open space it would require more than five acres. There is some population density that would also apply to urban areas where the governing body can reduce or you could increase the minimum acreage for open space.

Mr. Morelli explained that as a governing body the Board can adopt any combination of the four categories.

Mr. Morelli next explained that there is an application that would need to be filled out by each applicant and processed by the Commissioner of Revenue's office.

Mr. Morelli explained that the ordinance must be passed six months preceding the next tax year.

Mr. Morelli explained that the Board will need to set application fees, revalidation fees, and also the interest rate, late filing fees that the Board can install would need to have a date and fee installed. Mr. Morelli explained that the Board would also need to set consequences for falsifying applications.

Mr. Morelli explained that the assessing officer should be following the regulations set by the Department of Agriculture, Department of Forestry, and the Department of Conservation and Recreation. One of the key elements in the regulations when it comes to crop land, agriculture or pasture, as a participant, if passed, by the Commissioner of Revenue to substantiate the gross income by divulging the federal crop schedule that you have at least one thousand dollars of gross income. Many commissioners do not ask for this, but as a participant they need to be prepared to present the evidence if asked.

In the Forestry category you should have a forest plan prepared by professional forester to quality for the forest category.

In open space category it must coincide with the County's Comprehensive Plan. As a participant you can enter into an agreement with the governing body for a minimum of four years and a maximum of ten years and at the end of those terms you can set the date at what you determine, which must be in the ordinance.

Mr. Morelli also stated that there is a provision in the law that allows you to have a tiered category for values which has to do with how long the applicant has been in the program.

Mr. Morelli explained that anytime you deed a piece of property off of your parcel that is in land use you are required to file a new application and could be subject to another fee for that application.

Mr. Morelli next explained that if you request that your property be rezoned to a higher and more intensive use you could be subject to a roll back. The Roll back is the difference between the fair market value of the land and the use value of the land.

Mr. Morelli explained that the program is the same for every county and city in Virginia, if they have adopted land use, with the exception of whether you adopt all four categories of the program. But as far of the administration you will see some slight differences in the program.

Mr. Morelli called for questions that the Board may have.

Mr. Conrad questioned as to why the General Assembly has not looked into changing the minimum acreage for land use.

Mr. Morelli stated that with his many years of experience the General Assembly's position has been that as you increase the acreage collectively over the entire state Farm Bureaus are going to say that you have reduced so much acreage out of production that it is going to significally impact agriculture. Mr. Morelli feels that the General Assembly has listened to this and has always stayed away from making any changes.

Mr. Morelli did mention that there is a provision in the statue for specialty crops that would have to be approved by the Department of Agriculture and could have as little as three acres .

Mr. Conrad stated that 75% of Counties in the State have land use in effect. Mr. Conrad asks Mr. Morelli to give an overall attitude as to how it is working in those counties?

Mr. Morelli stated that he did not believe that any locality has rescinded the entire ordinance, but most of the counties and the cities still have substantial areas of agriculture that they provide land use. Mr. Morelli stated that most Commissioners or Assessors all have departed from the recommended values because they are so low and the Counties and Cites cannot afford to give the recommended values. The statue allows the Commissioner to depart from the recommended values.

Chairman Craft questioned if in the open space category would you have to have some type crop that you are farming or can it be growing up in brush.

Mr. Morelli explained that as long as the property meets some sort of recognized conservation program, you could plant a unique plant or shrub that is recognized by the Department of Agriculture.

Mr. Carter questioned if you can distinguish within the framework of the ordinance some perimeters that would designate a hobby farmer verses a true farmer that makes his living off the land.

Mr. Morelli stated that the only way you could really distinguish would be by the way you administer the program. Mr. Morelli explained that you will not be able to cap something in the ordinance so harsh that it would exclude someone from land use that would be able otherwise to qualify. Mr. Morelli stated that to properly administer this program it generally takes another person to work on just this program within the office.

Mr. Tanner questioned that if a landowner had clear cut his property twenty years ago and planted pines and let them grow and they are ready to be cut for logs in a few years, that as long as he is in the forest category he does not have to show where he has sold a $1000.00 in timber.

Mr. Morelli stated that the $1000.00 is for the agriculture category.

Mr. Tanner also questioned that if a farmer who owns 300 acres and is old and retired and leasing the farm to a neighbor who is farming the land, would this land still quality for land use?

Mr. Morelli stated absolutely, but the tenant would have to provide the documentation that there is income being generated. He also stated that you must establish a five year history unless you are expanding an existing operation.

Mr. Conrad asked if there was any advantage to an individual going into land use or conservation easement. Mr. Morelli stated that there is considerable difference. A perpetual conservation easement is restricted.

Mr. Conrad questioned what the tax breaks would be on conservation easement.

Mr. Morelli stated that the incentive tends to be the income tax break. Once you place the easement on the property you are automatically in land use.

Chairman Craft called for further questions from the Board. Hearing none, Chairman Craft thanked Mr. Morelli for coming and speaking with the Board.

Chairman Craft called on Mr. Herbert Fleshman to appear before the Board.

Mr. Fleshman came forward and gave his address as 4603 Salem Road, Spout Spring, Virginia 24593. Mr. Fleshman stated that being a member of the Carver Price Alumni Association and the Museum he wished to report to the Board some areas in the Museum that they consider a safety hazard for senior citizens and handicapped citizens.

Mr. Fleshman stated that he is referring to the steps leading from the parking circle to the sidewalk that leads to the front of the Museum and also a handicap ramp is needed to roll a wheel chair up to Museum. Mr. Fleshman referred to "Section 8" of the lease pertaining to repairs and safety hazards. Mr. Fleshman stated that he would like to know if the County is responsible for making these repairs along with the cost or if the Alumina is responsible. Mr. Fleshman requested that the Board review the lease and give them an answer after reviewing.

Chairman Craft thanked Mr. Fleshman and then presented Administrative item #1 Lessee's Authorizing Resolution for a new piece of equipment at the landfill.

ATTACHMENT B

LESSEE'S AUTHORIZING RESOLUTION

Whereas, **Appomattox County Board of Supervisors** (the "Governmental Entity"), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of **Virginia** (the "State"), is authorized by the laws of the State to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into contracts with respect thereto; and

Whereas, in order to acquire such equipment, the Governmental Entity proposes to enter into a lease-purchase transaction pursuant to that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar Financial Services Corporation, the form of which has been presented to the governing body of the Governmental Entity at this meeting;

Now, Therefore, Be It And It Is Hereby Resolved:

Section 1. Approval of Documents. The form, terms and provisions of the Agreement and all other schedules and exhibits attached thereto are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall be approved by counsel of the Governmental Entity or other members of the governing body of the Governmental Entity executing the same, the execution of such documents being conclusive evidence of such approval; and the persons holding the titles listed below or any other officer of the Governmental Entity who shall have the power to execute contracts on its behalf are hereby authorized and directed to execute, acknowledge, countersign and deliver the Agreement and all exhibits attached thereto, and the Secretary/Clerk of the Governmental Entity is hereby authorized to attest to the foregoing and affix the seal of the Governmental Entity to such documents.

Section 2. Other Actions Authorized. The officers and employees of the Governmental Entity shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

Section 3. No General Liability. Nothing contained in this Resolution, the Agreement, or any other instrument shall be construed with respect to the Governmental Entity as incurring a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement.

Section 4. Authorized Signatories. Following are the true names, correct titles and specimen signatures of the incumbent officers referred to in the foregoing resolution:

Name (Print or Type)	Title (Print or Type)	Signature
Aileen T. Ferguson	County Administrator	Aileen T. Ferguson
John K.Spencer	Asst. County Administrator	John K. Spencer

Section 5. Effective Date. This Resolution shall be effective immediately upon its approval and adoption. This Resolution was adopted and approved on May, 19, 2008.

Signature: Victoria C. Phelps
~~Secretary/Clerk~~ Deputy Clerk

Name Printed: Victoria C. Phelps

Date: May 19, 2008

Chairman Craft called for discussion on this resolution and hearing none Mr. Tanner made a motion to adopt the resolution authorizing the County Administrator and the Assistant County Administrator to sign documents related to the lease of the new loader. Mr. Conrad seconded Mr.

Tanner's motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #2 Establishment of a Central Absentee Precinct. Chairman Craft called for discussion.

THE BOARD OF SUPERVISORS IS PROPOSING AMENDING *SECTION 15-4 –DISTRICT BOUNDARIES AND POLLING PLACES* OF THE COUNTY CODE.

Section 15-4 District Boundaries and Polling Places

ADD

"E" Central Absentee Voter Precinct
For the purpose of counting and recording absentee ballots in all elections in Appomattox County a central absentee voter election precinct is hereby establishes at the "conference" room adjacent to the Registrar's Office pursuant to Section 24.2-712 Code of Virginia, as amended."

Mr. Tanner stated that this is a very wise decision and made a motion to adopt the amendment to the Elections Ordinance in order that the Electoral Board may move forward with the balance of the process for establishing this precinct. Mr. Carter seconded Mr. Tanner's motion. Chairman Craft called for any discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #3 – Amending the Taxation Ordinance.

Chairman Craft called for discussion, hearing none; Mr. Conrad made a motion to approve the amendment to the Taxation Ordinance and setting the due date for the first payment of real estate taxes for 2008 for June 27, 2008. Mr. Tanner seconded Mr. Conrad's motion and with no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #4- Town of Appomattox Waterline Proposal. Chairman Craft called for discussion.

Mr. Carter stated that the he felt the Board needed to take the language that has been given and review this. Mr. Carter suggested a recess meeting to a night this week that would suit each Board member to work exclusively on the waterline.

After discussion, It was the consensus of the Board to hold a recessed meeting on Wednesday, May 21, 2008 at 6:00 p.m. at the County Administration Building.

Chairman Craft next presented Administrative Item #5 – Region 2000 Regional Services Authority. Chairman Craft called for discussion from the Board.

RESOLUTION

WHEREAS, the Counties of Campbell and Nelson and the Cities of Lynchburg and Bedford established the Region 2000 Services Authority (the "Authority") by adopting Articles of Incorporation which were approved by the Commonwealth of Virginia State Corporation Commission effective December 28, 2007; and

WHEREAS, Appomattox County has indicated its desire to become a member of the Authority and to participate in the regional solid waste effort; and

WHEREAS, the governing bodies of the other Member Jurisdictions are willing to allow Appomattox to become a member of the Authority.

NOW THEREFORE, BE IT RESOLVED by the Authority and the Boards of Supervisors of Appomattox, Campbell and Nelson Counties and the City Councils of Lynchburg and Bedford, pursuant to Section 15.2-5112 of the Code of Virginia (1950), as amended, and following duly advertised public hearings, that Appomattox County shall become a member of the Authority, effective upon issuance of a certificate approving such expansion of the Authority by the State Corporation Commission. Appomattox has paid the Authority $27,000.00, and shall make an additional payment of $95,607.00 to the Authority prior to August 1, 2008 to reimburse the Authority its proportional share of the engineering, legal and other costs associated with the initial creation of the Authority.

The Board of the expanded Authority shall consist of the following five members, who shall serve for an initial term of 3 years expiring June 30, 2008. Subsequent terms shall be for three years.

Appomattox County
Member- Aileen Ferguson
P.O. Box 863
Appomattox, Virginia 24522
Alternate- John K. Spencer

Campbell County
Member – R. David Laurell
P.O. 100, Rustburg, VA 24588
Alternate –Clifton M. Tweedy

Nelson County
Member- Stephen A. Carter
P.O. Box 336, Lovingston, VA 22949
Alternate – Susan E. McSwain

City of Lynchburg
Member – L. Kimball Payne, III

900 Church Street, Lynchburg, VA 24504
Alternate – David A. Owen

City of Bedford
Member- Charles Kolakowski
P.O. Box 807, Bedford, VA 24523
Alternate – Barrett F. Warner

BE IT FURTHER RESOLVED by the Authority and the Boards of Supervisors of Appomattox, Bedford and Nelson Counties and the City Councils of Lynchburg and Bedford that the First Amendment to the Region 2000 Services Authority Member Use Agreement is hereby approved, and the Chairman of the Board of Supervisor and/or Mayor of each governing body is authorized to sign the Amendment on behalf of each locality.

Mr. Conrad stated that he feels this will save the County money and made a motion to adopt the enclosed resolution joining Region 2000 Services Authority and establishing the County Administrator as the locality member serving on the Authority and also adopt the First Amendment to the Region 2000 Services Authority Member Use Agreement. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for further discussion, hearing none, he then called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #6- Proposal from Prince Edward County. Chairman Craft called for discussion.

Chairman Craft stated that he does not see how this would benefit the County in any way.

Mr. Conrad stated that based on the fact that we have an agreement with Region 2000 he did not recommend accepting this proposal.

Chairman Craft called for further discussion, hearing none, the next item presented was Administrative Item #6A- Holiday Request.

Chairman Craft called for further discussion.

Chairman Craft stated that this is short notice to alert citizens of this extra holiday and does not feel it would be beneficial to the County to do this.

It was consensus of the Board to take no action on this request.

Chairman Craft next called for approval of the bills and minutes.

Mr. Conrad made a motion to approve the bills and minutes as presented. Mr. Tanner seconded Mr. Conrad's motion and with no further discussion Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Supplemental Appropriations items #9-#12.

SUPPLEMENTAL APPROPRIATIONS

Animal Control

Please supplement by consent and appropriate $20.00 to 3501-5402 Food supplies for donation received.

Library

Please supplement by consent and appropriate $1092.64 to the following line items for donations received, book replacement fees and book sales:

7301-5401 Office Supplies	848.29
7301-5411 Books	19.35
7301-5415 Summer reading	150.00
7301-5414 Pamplin Depot	75.00

Sheriff's Department

Please supplement by consent and appropriate the following to the various line items in the Sheriff's budget:

3102-1001 Salaries/Wages	7,629.00
3102-2001 FICA	584.12
3102-2002 VRS	399.61
3102-5504 Travel/Education	248.60

Court Services Unit

Please supplement by consent and appropriate $99,200.00 to 2109-3009 Purchased Services in the Court Service Unit Budget for Juvenile Detention and Home Electronic Monitoring.

Mr. Tanner made a motion to approve Supplemental Appropriations Items #9-#12 and Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Informational Items.

INFORMATIONAL ITEMS

Appomattox County Public Schools

Enclosed for your information is the monthly financial report for April 2008 for the school system.

Governor Kaine Announces Statewide and Regional Transportation Funding Plans

Enclosed is information from the Virginia Association of Counties on the Governors funding plans for transportation.

Appomattox Town Council

Enclosed for your information is the agenda packet for the May 12, 2008 meeting of the Appomattox Town Council.

Auditor of Public Accounts
We have received the audit report for the Clerk of the Circuit Court and the Auditor of Public Accounts has found no problems with the way that Mrs. Williams is handling public funds.

Monthly Department Reports
Please find enclosed the monthly reports from the following departments:

- Animal Control

Blue Ridge Regional Jail Expansion
I have enclosed for your information a proposed schedule for the Amherst/Appomattox Detention facility. Also enclosed are some possible site plans and design schemes for you to review.

Chairman Craft explained that the next item would be a closed session under Section 2.2-3711(A) (1) Personnel to discuss salary adjustments for several employees. Mr. Carter made a motion to enter into closed session at 7:40 p.m. Mr. Tanner seconded Mr. Carter's motion.

Mr. Tanner made a motion to go out of executive session at 7:55 p.m. Mr. Conrad seconded the Mr. Tanner's motion. Vote Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft read the Certification for a Closed Meeting.
Whereas, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

Whereas, Section 2.1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

Now, Therefore, Be It Resolved, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discusses in the closes session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.

Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft asked if there was any action from the closed session.

Mr. Tanner made a motion to approve additional increases for three positions (Assistant to the Building Inspector, Administrative Assistant, Office Assistant for Recreation and Tourism Department. Mr. Conrad seconded Mr. Tanner's motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye;

Ms. Ferguson stated that she needed to clarify the motion that was made. Ms. Ferguson stated that her understanding of the motion is that the Board approved a salary increase for three County employees due to job responsibilities being added to their positions.

Chairman Craft next explained that several items from the Consent Agenda were missed and the Board would need to go back and approve these items.

Chairman Craft stated that a motion was needed to approve Line Item and Fund Transfers which are items #13 -#15.

LINE ITEM TRANSFER:
General Properties
Please transfer by consent $10,960.00 from 1101-5804 Operating Reserve in the Board of Supervisors budget to 4302-5308 General Liability in the General Properties Budget for insurance premium.

FUND TRANSFERS
Sheriff's Department
Please appropriate by consent $1000.00 from the Sheriff's Asset Forfeiture Account to pay our part on a task force computer system upgrade.

Sheriff's Department
Please transfer by consent $2,059.91 from Courthouse Security to the General Fund (3102-1003 - $1913.52 and 3102-2001 - $146.39) to pay for unused vacation for Captain Godsey.

Mr. Conrad made a motion to approve the Line Item and Fund Transfers in Items #13-15. Mr. Moore seconded Mr. Conrad's motion. Chairman Craft called for discussion, hearing none, a vote was called for; Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next called for Supervisor Concerns.

Mr. Tanner clarified that the Board would recess until Wednesday night.

Hearing no other comments from the Board, Chairman Craft stated that the Board would recess until 6:00 p.m. on Wednesday, May 21, 2008 at the County Administration Building.

Meeting adjourned at 8:00 p.m.

W. H. Craft

William H. Craft, Chairman

On Wednesday, May 21, 2008 at 6:00 p.m. the Appomattox County Board of Supervisors held a recessed meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox, Virginia.

Present:
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present:
Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft reconvened the recessed meeting of May 19, 2008 at 6:00 p.m. on May 21, 2008, and asked everyone to join in a moment of silence.

Chairman Craft opened the meeting and stated that this meeting was being held to discuss the Route 460 Waterline.

Mr. Carter stated that when sending a counter offer back to the Town, he would like to suggest that the County offer the following:

The County will pay 100% while the Town's resources that they currently have, can stay in place for operation, maintenance and meter readings for this waterline.

One rate would be used for all residential customers no matter if they live in or out of town.

The water system in total must pay for itself. No raiding the General Fund to pay for shortages in the water fund. No request will be considered by the County to help offset water fund shortages during any upcoming year.

The maintenance of all water lines is to be sole responsibility of the Town by using the STAGG Grant.

Ms. Ferguson stated that it is her understanding that the STAGG Grant can be used only for new construction or maintenance of what the Town already has in the ground.

A Utility Committee will need to be established and include two members from the Board of Supervisors which will be chosen by the Chairman of the Board.

This Committee will consist of two Board of Supervisor members and two Town Council members along with the County Administrator and Town Manager, and this committee will complete the details of the water transmission line agreement. Members of the Town Council are to be approved by the Board of Supervisors.

Town to operate water transmission line from Concord to Appomattox in total. This includes all water line extensions from the water transmission line and all other water lines currently operated by the Town, outside Town limits.

Town to report via the Utility Committee Chairman to the Board of Supervisors how progress is being made regarding new water customers from the water transmission line. Progress Report is to be made in person to the Board of Supervisors twice a year.

Town Council will provide annual audits of the water fund to the Board of Supervisors for review. Audits will be performed by a qualified certified public accounting firm commissioned by the Town Council.

Sewer funds should not to be combined with water fund revenue. Sewer funds are to stand alone and be operated so that it covers sewer expenses.

Bi- annual water study to be completed by the Town Council and reported to Board of Supervisors by Utility Committee Chairman.

Town Council to promote new water connections to water system as much as reasonably possible.

All shared water and sewer facilities in the Industrial Park to be owned by the Board of Supervisors and maintained by the Town Council. The Economic Development Authority is to have full control over new connections to Industrial Park lines. Fees are to be negotiated by Economic Development Authority Committee and joint Committee.

A Memorandum of Understanding should be constructed signed by all Town Council and Board of Supervisors members.

Mr. Carter stated that this is his suggestion on how the Board should answer the Town proposal.

Chairman Craft stated that he feels the Town should pay a minimum of at least twenty percent on this water line. Chairman Craft stated he does not feel it is fair for 13,000 people having to pay for approximately 1,700 people to receive water.

Mr. Carter stated that town citizens are also county citizens and that he feels that each and every citizen will be affected either directly or indirectly down the road by this.

Mr. Tanner stated that he feels there needs to be some commitment by the Town. He feels that there are a lot more citizens in the County that will never be able to benefit from this water line that will be bearing responsibility.

Mr. Conrad stated that the Board is aware of the importance of this water line. If the Town does not agree to go along with the contingencies that have been drawn up by the Board, then where does this Board stand? What is the next step for the County if the Town does not agree to this water line?

Mr. Carter stated that the County is in a position that they will have to move forward with the water line even if the Town will not, even if it means the County will have to pay at 100%.

Chairman Craft read a letter from W.S. Slagle clarifying the comments in the October 26, 2007 letter written by the EDA to the Board concerning the proposed waterline.

Mr. Conrad questioned if the Utility Committee as mentioned would be the Public Service Authority.

Mr. Carter stated that the utility committee was composed by Town Council.

Mr. Carter stated that he firmly believes that a Public Service Authority will be needed, but feels it is out of the question at this time.

Mr. Tanner stated that he feels the Board should not react to the letter from the Town Council and come up with a plan tonight and move forward.

Mr. Carter stated that if the County pays the 100% for the water line the Town can put forth the Stagg Grant money.

Mr. Overstreet stated that he feels it is an unworkable situation with one local government owning something and the other with the obligation of maintaining it. Mr. Overstreet stated that he has worked with some situations like this in the past and when maintenance money needs to go to other places within the town the money is going to their Town owned project first then to a County owned project.

Mr. Overstreet also stated that governing bodies are jealous of their prerogatives and it is pretty common for Public Service Authorities to be funded by local governments beyond the revenues coming in and in extraordinary circumstances you do not want to close the door on this.

Mr. Carter stated that the County is not in the water business and does not want to be in the water business and the Town has the resources and what it takes to operate a water line and in order to get this through the Board will need to completely omit the Public Service Authority at this time.

Mr. Overstreet suggested that the County could contract the maintenance to the Town and when they have other obligations and cannot fix something at the time it is needed, the county can out source it to someone else at that time.

Chairman Craft stated that the County could outsource the maintenance entirely to a contractor.

Mr. Conrad suggested that the Town may be more acceptable to a contract for the maintenance at this time.

Mr. Tanner questioned if the County should set a time frame and then establish a Public Service Authority.

Mr. Carter stated that he feels that the water line would have to prove itself and then the Town would be more acceptable to looking at a Public Service Authority.

Mr. Craft questioned how the County would handle the situation when citizens in the Spout Spring area want to hook to the water line.

Mr. Carter stated that this would be something that this committee would need to look at and offer solutions.

Ms. Ferguson stated that it was her understanding that the County would seek customers coming down Route 460 and we would do what we determine is reasonable to serve these customers in the County and the County's big drive is the Industrial Park which she believes is part of the overall plan.

Mr. Carter questioned the Board on what they are going to offer the Town in regards to the counter offer.

Mr. Wayne Lewis from the audience commented on the financing part of this and it would be to the Towns benefit because any monies that they put into this will affect the real rate of the water. Whatever the cost it has got to be supported by the water rate.

Ms. Ferguson explained that Appomattox County was paying some engineering cost and upgrade from Rustburg to Concord Elementary School and then another fee from Concord Elementary School to Route 460. Campbell County has now determined a use for that water going west so they have enough need themselves to upsize the line, so Appomattox County is not paying any engineering fees from Rustburg to Concord Elementary. Our cost will be from Concord Elementary to Route 460 at the stop light which will reduce our cost greatly.

Chairman Craft asked Mr. Earl Dickerson if he had any comments.

Mr. Dickerson stated that he thinks the County will need to go ahead and set up a Public Service Authority. He also stated that he has heard no discussion on who will be collecting the revenue.
He stated that current revenue is collected by the Town. He stated that he would think the County would want this revenue.

Mr. Dickerson thinks the County is going to be looking at a Public Service Authority sooner than the Board is thinking.

Chairman Craft ask Mr. William Slagle if he had any comments for the Board.

Mr. William Slagle, Chairman, Economic Development Authority urged the Board to move ahead while commending the Board for the action taken so far and feels it is the right thing to do for the County and Town citizens.

Chairman Craft stated that the Board needs a proposal to offer the Town.

Mr. Tanner stated that we need to take segments of the letter and go with certain bullets as mentioned.

Ms. Ferguson ask the Board to go back over the bullets that they want in the proposal so that she has complete understanding on what she will be offering the Town.

Mr. Tanner stated that the Board needed to refer to the letter from the Economic Development Authority and start from that.

Mr. Carter stated that the Board will be working from the October 26, 2007 letter from W.S. Slagle and the following bullets should be included within the letter proposal that will be drafted by Ms. Ferguson.

1- That the County of Appomattox constructs and owns the proposed water line from Concord to the Town of Appomattox.

2- That a master water meter be installed on the water line at the Appomattox Town boundary.

3- That the County sell the metered water at it real cost to the Town of Appomattox.

4- That the Town contract to purchase water (as metered by the master meter) from the County and continue to meter water to Town customers and to establish its own rate structure for Town customers. The County rate structure for the Town and for other customers is predicated on the premise that all debt service would be paid totally by the water customers. All grant monies from both the Town and County would be used to reduce the water rates to customers.

5- That the County and Town jointly pursue additional grant funds.

6- Leave out bullet number six from the above mentioned letter.

Mr. Carter stated that he feels that this is what our proposal should consist of.

Mr. Paul Harvey, Town Mayor Elect, stated that if the Board could come back with a concrete proposal the Town may be able to get a vote of 4-2 before July 1st.

Mr. Carter questioned if the Board did a Memorandum of Understanding, would it be binding.

Mr. Overstreet stated that he would not want it done any other way.

Mr. Overstreet stated that he understood the Boards desire to get this done as soon as possible but the Board is talking about pages and pages of agreement documents which would take time. Mr. Overstreet stated that the Board could take a consensus and everyone could vote on it, but by the time the agreement is done it would have to be presented to the new Council.

There was lengthy discussion addressing the revenue flow. If the County gets the revenue who will bill our customers? If water goes through the master meter it will continue to be billed to the Town.

Mr. Craft questioned Ms. Ferguson as to whether she understands what the Board is proposing for her to draft in letter form, and then have some Board members review before the Town meeting on Tuesday night.

Ms. Ferguson stated that she has a clear understanding of most, but wanted to know if Mr. Overstreet understands the statements needing to be made on the out of Town customer water rates.

Mr. Overstreet stated that he was not sure if the Board wanted to address this at this stage and if you did, you may want to state that the Board is sensitive to the fact that there is a discremency in these rates and it needs to be considered in the agreement.

Chairman Craft called for further water line discussion.

Mr. Carter stated that the letter has to be given in time to be put on the Town's agenda for their Tuesday night meeting.

Mr. Earl Dickerson suggested that the Board present the letter to the Town at their meeting.

Chairman Craft stated that Mr. Carter would be going to the Town Council meeting representing the Board on Tuesday night.

Chairman Craft reminded the Board of upcoming meetings.

Mr. Carter stated that the Board should send a letter of appreciation to Mr. Tom Morelli for attending the Board meeting and explaining land use.

Ms. Ferguson stated that she would send a letter of appreciation to Mr. Tom Morelli.

Mr. Tanner made a motion to adjourn the meeting at 7:20p.m. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:20 p.m.

William H. Craft, Chairman

On Monday, June 2, 2008 at 5:30 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant

Chairman Craft called the public hearing to order at 5:30 p.m. and explained the purpose of the public hearing would be to receive public comment on a proposed ordinance for Assessment of Real Estate devoted to Agricultural, Horticultural, and Forestry uses and also explained the procedure for addressing the Board during the public hearing.

Mr. Overstreet read a declaration for Mr. Tanner and Mr. Moore to acknowledge that they have a personal interest in the transaction of adopting Land Use taxation in Appomattox County by virtue of ownership of real estate in the County which may be eligible for Land Use. Therefore they are a member of a group that may be affected by this transaction.

Mr. Tanner and Mr. Moore declared that notwithstanding the above, they are able to participate in the transaction fairly, objectively, and in the public interest. This declaration is pursuant to the Virginia Code Section 2.2-3112.A.2 and 2.2-3115G. A copy of the signed declaration is on file in the County Administration Office.

Mr. Craft explained that according to the Boards Bylaws and Procedures Mr. William Hix would not be able to speak tonight since he spoke at the May 7, 2008 meeting on the same subject. Mr. Craft did let the audience know that Mr. Hix was in favor of adopting the ordinance on Land Use.

Mr. Craft next ask the audience for those who are in favor of Land Use to stand and then asked for those opposing Land Use to please stand.

Mr. Craft called on the first person who signed up to speak, Ted and Delores Garrett, came forward. Mr. Garrett stated their address as 1348 Wildway Road and they stated they are very much in favor of land use.

Chairman Craft called on Ms Barbara Shelton to address the board. Ms. Shelton gave her address as 177 Pine Street, Appomattox, Virginia.

Ms. Shelton thanked the Board for the opportunity to speak. She continued that the would like to say that Appomattox County has limited financial resources and the most of its citizens living here has limited financial resources as well. She stated that some citizens are on fixed incomes and some live from paycheck to paycheck. She stated that to her knowledge a study has not been conducted and a study would give the details of what financial impact land use tax assessment program would have on the County's revenue, the county's real-estate tax rate, and the County's homeowners. She also stated that she feels if would be wise for the County to conduct such a study instead of blindly enacting a program that no one knows the ramifications of at this time.

Ms. Shelton continued to express that citizens should not have to pay for something that they will not benefit from, and this would punish citizens who do not own large tracts of land.

Ms. Shelton respectfully requests the Board to oppose this land use ordinance.

Chairman Craft called on Mr. John C. Harris to come forward. Mr. Harris gave his address as 2460 Cedar Tree Road, Evergreen, Virginia. Mr. Harris stated that he is highly in favor of Land Use.

Chairman Craft called on Mr. Kevin D. Harris to come and speak. Mr. Kevin Harris gave his address as 2534 Cedar Tree Road Evergreen, Virginia. Mr. Harris stated that he is in favor of Land Use.

Chairman Craft called on Mr. Jack W. Burks to come forward. Mr. Burks gave his address as 1495 Horse Shoe Road, Appomattox, Virginia. Mr. Burks read an article of May 25, 2008 from the News and Advance and it states that we are losing 45 thousand acres of farm land to new permanent residential and commercial use each year which equals 225 farms of 200 acres.

If this land was used it could produce 115 gallons of gasoline which is about three percent of Virginia's consumption of gasoline in a year.

Mr. Burks stated that we have got to stop taxing people on real estate; this is not going to solve the problem.

Mr. Burks also stated that if land has to be sold and then turned into housing developments. With an average size house it would retain 1200 gallons of water which brings us back to our well system and we could be headed into a disastrous mode.

Chairman Craft called on Mr. Ralph Reynolds to come and speak. Mr. Reynolds gave his address as 3038 Wild Way Road, Appomattox, Virginia.

Mr. Reynolds stated that he wanted to point out a few things.

Mr. Reynolds stated that just a few years ago our County's cost (operating expenditures) was in the hundred of thousands and now it is in the millions. Mr. Reynolds stated that he understands that a major part of this money is in schools and law enforcement, but land does not require any of these services.
Mr. Reynolds also stated that he was shocked to learn that almost one half of the County's revenue comes from taxes on the land. Mr. Reynolds stated that all he is asking is that the Board be fair.

Mr. Reynolds stated that he wanted to remind the Board of three things before closing. Number one is that each of you took oath of office to treat citizen's fair, not because of political reasons but because of fairness.

Number two is that the County is owned and operates for the better part of agriculture and I want you to check and see what was made on that last year.

Number three is to remember to do what is correct and what is right and stop taxing so few for so much.

Chairman Craft next called on Ms. Sadie Wooding. Ms. Wooding stated her address as 1847 Stonewall Road, Concord, Ms. Wooding stated that she is a land owner and she supports land use.

Chairman Craft called for Mr. Earl Pickett to come and speak. Mr. Pickett stated his address as 2869 Forest Chapel Road, Pamplin, Virginia. Mr. Picket stated that he represents over 1000 families in this county, and he has been trying to get land use in affect for many years now. Mr.Pickett stated that we pay the same tax on our homes as everyone, but the land is paid differently.

Mr. Pickett stated that he is hearing so much about the County and Tourism, well he feels no one is going to want to come to this County and see houses from end to end and looking like Wards Road down Route 460. Mr. Pickett also stated that we need open land for future water.

Mr. Pickett stated that in passing this ordinance it will not cost the County or the people anything and we need to work together and he would also like to see an open space clause put in this ordinance.

Chairman Craft called on Mr. Bob McClenny. Mr. McClenny stated his address as 4368 Forest Chapel Road, Pamplin, Virginia. Mr. McClenny stated that this County needs land use assessment for farm and forestry. Timber companies are leaving, and if we lose our farm land and also timber lands to double wide mobile homes and we are going to loose our tourist. Mr. McClenny stated that he is definitely in favor of land use.

Chairman Craft called on Mr. Sam Hunter to come and speak. Mr. Hunter stated his address as 2566 Bear Creek Road, Redhouse, Virginia, and that he is a resident of Charlotte County but he does own farmland in Appomattox and he is in favor of land use.

Chairman Craft called on Mr. Wayne Phelps to come and speak. Mr. Phelps stated his address as P.O. Box 386, Appomattox, Virginia. Mr. Phelps stated that he wants to keep his farm as long as he can, but he needs the Board's help in doing this.
Mr. Phelps stated he had spoken with delegate Watkins M. Abbitt and he is in full support of land use in this County.

Chairman Craft called on Mr. Bob Holt to come and speak. Mr. Holt stated his address as 1727 Police Tower Road, Appomattox, Virginia. Mr. Holt stated that he is very much in favor of land use. Mr. Holt read an article from Progressive Farmer (on file at the County Administrators office). Mr. Holt stated that this article is from the March 2008 issue of Progressive Farmer," Preserving Farmland might seem like a no-growth mindset.

Mr. Holt also quoted from an article from the News Advance discussing growth in Bedford County.

Mr. Holt stated that he is proud to say he lives in Appomattox County and he wants to be able to continue to make this statement.

Chairman Craft called on Mr. Dennis Torrence to come and speak. Mr. Torrence stated his address as 4878 River Ridge Road, Appomattox, Virginia.

Mr. Torrence questioned if Mr. Moore and Mr. Tanner get to vote on this issue? Mr. Torrence was told by Chairman Craft that they would have a vote on this issue.

Mr. Torrence stated without land use, at this point, none of us are going to be able to farm.

Mr. Torrence stated that land use must be passed.

Mr. Torrence stated that most home owners are paying about the same, so the most of the increase is from the land owners and that is not fair. Mr. Torrence stated that land use was addressed when he served on the Board and they did not pass it and he feels they made a mistake and now this Board needs to help our famers.

Mr. Torrence stated that he would be farming today if he could make a living at it.

Mr. Torrence asked the Board to please help the farmers.

Chairman Craft explained that the statement that was read earlier from Mr. Overstreet allows Mr. Moore and Mr. Tanner to vote.

Chairman Craft next called on Mr. Danny Hix to come and speak. Mr. Hix stated his address as 5535 Hixburg Road, Pamplin, Virginia, and stated that he is in favor of land use. Mr. Hix stated that his farm has been in their family for many years, He continued that this year has been the hardest year in his life especially with a tax increase from 10,000 to 19,000 over last year.

Chairman Craft called on Mr. Jim Nolen to come and speak. Mr. Nolen stated his address as 2431 Purdem Mill Road, Appomattox, Virginia. (hand out given and on file in the June Board file) Mr. Nolen stated that assessments have been held down in past years and maybe we should go to a reassessment more often that every six years. Mr. Nolen stated that farmers have a legitimate gripe. Mr. Nolen stated that most assessors generally ignore soil types, topography, and water resources etc. and valued parcels separately even though they were long since combined into a farm unit which are all important factors in a standard farm appraisal.

Mr. Nolen stated that homeowners have a side to this also.

Chairman Craft called on Richard Chandler to come and speak. Mr. Chandler stated his address as 1319 St. Cloud Ave, Lynchburg, Virginia. Mr. Chandler stated that he owns land on Double Bridges Road, Mr.Chandler stated that he is in favor of land use and he feels that timber management and land management is very important.

Chairman Craft called on Mr. Tommy Drinkard to come and speak. Mr. Drinkard gave his address as 2486 North Creek Road, Appomattox, Virginia. Mr. Drinkard stated that he is in favor of land use tax. Mr. Drinkard stated that he works a public job to support his farm and wants to retire and at this time he may not be able to retire just to be able to keep his farm.

Chairman Craft called on Mr. Tom Schmutz to come and speak. Mr. Schmutz stated his address as 1656 Bechman Road, Appomattox, Virginia. Mr. Schmutz stated that every farmer is willing to pay his fair share of taxes which they have always done. He stated that the reassessment has made all farms look like subdivisions, some land has doubled and some even tripled.
Mr. Schmutz stated that farmers are no longer paying their fair share with the way things are assessed.

Chairman Craft next called on Mr. Jim Bondurant. Mr. Bondurant stated his address as 4878 River Ridge Road, Appomattox, Virginia. Mr. Bondurant stated that we definitely need land use in Appomattox, and need the Board's support in this.

Chairman Craft called for other citizens who would like to speak and did not sign the sign-in sheet.

Mr. Jimmy Drinkard stated his address as 2735 Old Grist Mill Road, Appomattox, Virginia. Mr. Drinkard stated that he is in favor of land use. Mr. Drinkard stated that his property tripled and he met with the Board of Equalization and was told he did not qualify for any assistance.

Mr. Brad Babcock came and stated his address as 2064 Spencer Road, Concord, Virginia. Mr. Babcock stated that his taxes went up 700 dollars which may not seem like a lot, but to him it is. Mr. Babcock asks if anyone has a percentage on how much taxes went up? Mr. Babcock also stated that he is in support of land use.

Chairman Craft called for any other citizens to come and speak.

Mr. John Hunter came forward and gave his address as 6869 Wheelers Spring Road, Appomattox, Virginia. Mr. Hunter stated that he would like to emphasize fairness, and also as far as tourism in Appomattox County, it is one of the prettiest counties in the state and that is what draws people here. Mr. Hunter stated that just about everyone here is in favor of land use. Mr. Hunter questioned why Appomattox County does not have land use when all surrounding counties have this.

Next Ms. Micki Caifano came forward and stated her address as 576 TinTop Place, Concord, Virginia. Ms. Caifano stated that she moved here two months ago and did so because of the farm lands and she does not know anything about farming but does know what high taxes are. Ms. Caifano stated that she would love to see properties reassessed and would also like to see land use in affect.

Ms. Joann Martin came forward and gave her address as 244 Coleman Mill Road, Appomattox, Virginia. Ms. Martin stated that you cannot make money in farming, however she thinks our County has beautiful farm land.

Ms. Martin stated that Mr. Conrad has made his livelihood from a position that supported farmers and would think he would be in favor of land use. Ms. Martin also stated that she understands that a board member has land in another county that does have land use.

Ms. Martin stated that farm land taxes have soared this year.

Chairman Craft called for any other comments, hearing none; Chairman Craft closed the public hearing at 6:25 P.M.

W. R Craft

William H. Craft, Chairman

On Monday, June 2, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held its regular scheduled meeting at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant

Chairman Craft called the regular scheduled meeting to order at 6:35 p.m. and called on Mr. Carter to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and then called for setting of the agenda.

With no changes to the agenda, Chairman Craft proceeded to the Public Comment Session, hearing none; Chairman Craft presented Administrative Item #1 – Social Services FY2009 Budget Approval.

Chairman Craft called for a motion. Mr. Tanner made a motion to approve the FY2009 Social Services Budget in the amount of $1,157,259.86 with local funds in the amount of $305,777.14. Mr. Carter seconded Mr. Tanner's motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner.

Mr. Tanner asks Mr. Craft on behalf of the Board to thank Social Services for their cooperation during this difficult budget process.

Chairman Craft next presented Administrative Item #2 – Proposed Resolution concerning Transportation Funding.

Transportation Funding Resolution
Whereas an efficient transportation network is crucial to sustainable economic growth in the Commonwealth, a cleaner environment and enhanced public safety and quality of life; and

Whereas the Commonwealth faces a documented transportation funding shortfall including a recurring and inflating road maintenance funding shortfall resulting in the Commonwealth Transportation Board eliminating and reducing programmed project spending totaling $1.1 billion in the new six-year transportation programs; and

Whereas the Virginia Department of Transportation is transferring almost $400 million in Fiscal Year 2008 from road construction funds to support road maintenance activities;

Whereas the eliminated and stalled project monies include primary, urban and secondary construction funding reductions to regions and localities of up to 44 percent for Fiscal Year 2009; and

Whereas funding for new highway and bridge construction is diminished as the annual road maintenance shortfall continues to escalate and the estimate to repair the Commonwealth's 1,700 deficient bridges totals more than $3 billion; and

Whereas regions of economic importance to the Commonwealth, including Hampton Roads and Northern Virginia, confront major transportation funding challenges in addition to those shared by all other areas of the Commonwealth; and

Whereas transferring state general funds to transportation neither adequately supports documented and recurring transportation infrastructure investment needs, nor serves to protect the Commonwealth's additional core services including public education, health care, mental health and retardation, and public safety; and

Whereas Virginia has the nation's seventh lowest motor vehicle sales tax rate and the Commonwealth last enacted dedicated, new, significant and recurring annual statewide revenues for transportation in 1986, including the last increase in Virginia's modestly low gas tax rate of 17.5 cents per gallon; and

Whereas since 2006 the Commonwealth has enacted significant reforms to improve the coordination between transportation and local land-use planning.

Now, therefore, be it resolved that the County of Appomattox hereby calls on the Governor of Virginia and the Virginia General Assembly during the forthcoming transportation special session to enact a significant transportation funding package to include dedicated, new, significant and recurring annual revenues to address the Commonwealth's documented transportation infrastructure needs.

And, be it further resolved, that the Governor of Virginia and the Virginia General Assembly are urged to enact dedicated new, significant and recurring annual revenues to eliminate the road maintenance shortfall; increase funding directed to interstate and primary highways, urban and secondary roads, and transit projects; guard against the transfer of general funds to transportation; and address the unique transportation needs of specific regions of the Commonwealth including initially Hampton Roads and Northern Virginia.

Mr. Conrad stated that the Governor indicated that we need to increase revenue for our roads throughout the state. Mr. Conrad stated that he has a difficult time with increasing at the gas pump. Mr. Conrad stated that he agrees with this resolution except raising gas tax.

Ms. Ferguson stated that the Board can strike areas of this resolution and add something else. Ms. Ferguson explained that this resolution belongs to the Board and the board can change it anyway they see as necessary.

Mr. Tanner stated that he agreed with Mr. Conrad's statement and would like to see something else added in that paragraph.

Mr. Conrad stated he would agree with the consideration of toll roads.

Mr. Carter stated that he feels that the State is going to do what they feel is necessary, but he does agree with Mr. Conrad's statement.

Mr. Conrad made a motion to approve the proposed resolution concerning Transportation Funding with striking the paragraph on the gasoline tax. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for further discussion, hearing none, called for a vote. Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #3- Lease for the Carver Price Educational Complex Gym.

Mr. Overstreet stated that this is basically the same lease as adopted last year except for adding the cheerleading and this lease goes from year to year.

Mr. Tanner made a motion to approve the lease agreement with the School Board for the use of the Carver Price Educational Complex Gym. Mr. Carter seconded Mr. Tanner's motion. Chairman Craft called for further discussion, hearing none he called for a vote. Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #4 – Enhanced Passenger Service on Amtrak, and called for discussion.

A RESOLUTION IN FAVOR OF AMTRAK'S PROPOSED NEW DAILY PASSENGER RAIL SERVICE IN THE US 29 CORRIDOR AND IN SUPPORT OF RELATED INFRASTRUCTURE IMPROVEMENTS

WHEREAS, the Virginia Department of Rail and Public Transportation (VDRPT) is developing a State Rail Plan that will address the present and future needs for rail in the Commonwealth and provide a strategy to address them; and

WHEREAS, the State Rail Plan will address commuter, intercity, higher speed and high speed rail services as well as multimodal integration of rail with other modes of transportation; and

WHEREAS, the VDRPT has asked for public input on the needs, priorities and rail improvements to be considered when developing the State Rail Plan; and

WHEREAS, the US 29 – Interstate 66 (Piedmont) rail corridor between Danville and Alexandria is home to 30% of the State's population; and

WHEREAS, the cities, towns and counties of the US 29 Corridor have experienced significant residential and commercial growth and with it, significant increases in highway traffic, congestion and travel time on through trips; and

WHEREAS, fifty years ago, the Piedmont Corridor was served by 22 passenger trains a day operated by the Southern and C & O Railroads; and

WHEREAS, today, the Piedmont Corridor is served by only one daily round trip train (Amtrak's Crescent) between New Orleans and New York, and for stations north of Charlottesville, by an additional train (Amtrak's Cardinal) three days a week; and

WHEREAS, these long-distance trains are frequently overbooked, with most seats reserved for long-distance ticket holders, the schedule is not conducive to business travel, trains are frequently late, and the existing level and quality of passenger rail service offered by these trains cannot meet the demands of business travelers, tourists, students or the traveling public; and

WHEREAS, the rising cost of oil and the environmental concerns brought on by carbon based emissions have heightened the interest in energy efficient and environmentally friendly alternatives to the automobile; and

WHEREAS, recognizing the Piedmont Corridor as an underserved market, Amtrak has recommended to VDRPT that steps be taken to implement new Lynchburg to Washington rail service "as soon as possible" including any capital improvements needed to the existing rail line by the host railroad; and

WHEREAS, Amtrak reports that the addition of a second daily train can be accomplished easily and at a relatively low cost; and

WHEREAS, ridership on the Piedmont Corridor can be expected to increase significantly as direct service results in reliable, on-time trains with available seats; and

WHEREAS, the Route 29 passenger rail corridor is significantly under-served compared to the I-95 corridor, where the State has made massive investments for rail infrastructure and operations; and

WHEREAS, an application for State Rail Enhancement Funds (REF) for capital investments in the corridor in support of the proposed new Amtrak passenger service has been developed by Norfolk Southern Railroad and is included in the list of projects recommended by VDRPT for inclusion in the State's 2009-2014 Six Year Improvement Program; now, therefore, be it

RESOLVED, by the Appomattox County Board of Supervisors this 2nd day of June 2008, That the Board of Supervisors urges the VDRPT to include enhanced passenger rail service for the US 29 (Piedmont) Corridor in the State Rail Plan, specifically the proposed new daily direct service between Lynchburg and Washington, D.C. and on to New York and Boston, as proposed by Amtrak; and, be it

RESOLVED FURTHER, That the Appomattox County Board of Supervisors urges the Commonwealth Transportation Board to approve VDRPT's recommended REF funding for infrastructure investments needed to support new passenger service in the corridor; and, be it

RESOLVED FINALLY, That the Appomattox County Board of Supervisors requests that VDRPT identify the US 29 corridor as the State's top priority for funding new rail service according to Amtrak's recommended Short Term Action Plan for Advancing Passenger Rail in the Commonwealth.

Mr. Carter made a motion to adopt the resolution on Enhanced Passenger Service on Amtrak. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for further discussion. Hearing no further discussion Chairman Craft called for a vote. Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #5 – Position Description Approval. Chairman Craft called for any discussion.

Mr. Conrad made a motion to adopt the position description and pay grade as recommended by Landfill Supervisor.

Mr. Moore seconded Mr. Conrad's motion.

Chairman Craft called for a vote. Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #6 – Resolution, View Drive, State Route Number 1075.

At the regular meeting of the Board of Supervisors of Appomattox County, Virginia held on the 2nd day of June 2008, it was duly moved and seconded that the following Resolution be adopted:

NOW THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the street description below and on the attached additions Form SR-5(A) to the Appomattox County Secondary Road System for maintenance. The following subdivision road which has been constructed by the sub divider as a Class "A" subdivision in accordance with the requirements of Section 33.1-229, of the Code of Virginia, 1952, and The Virginia Department of Transportation's Subdivision Street Requirements, 1996, **TO WIT:**

STONEWALL MEADOWS SUBDIVISION, SECTION 1, PHASE II

View Drive, Route 1075 - Beginning at a point on Route 713, 0.138 miles south on Route 1075 to Cul-de-sac.

Total Length – 0.14 mile Right of Way 50 feet

BE IT FURTHER RESOLVED, that this Board does guarantee a minimum unrestricted fifty (50) foot right of way with additional widths as may be necessary for cuts, fills and drainage, together with easements on adjoining properties.

Recorded in Plat Cabinet 1, Slide 34A on October 6, 2006 in the Appomattox County Clerk's Office.

Mr. Tanner made a motion to adopt the resolution accepting View Drive in Stonewall Meadows Subdivision Section 1, Phase II into the State Secondary System of Highways. Mr. Conrad seconded Mr. Tanner's motion.

Chairman Craft called for further discussion, hearing none, Chairman Craft called for a vote. Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Consent Agenda.

Mr. Carter made a motion to approve the Consent Agenda as presented. Mr. Conrad seconded Mr. Carter's motion. Chairman Craft called for further discussion, hearing none, Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Information Items and called for any discussion.

Hearing none, Chairman Craft next called for Supervisor concerns. Hearing none, Chairman Craft reminded the Board of upcoming meetings.

Mr. Carter questioned if there was any other information that the Board needed to consider on land use before the Board makes it decision at the next meeting.

Ms. Ferguson stated that she is hoping to get more information that is available for land use. Ms. Ferguson stated that BAI is working on getting this information, which would give the Board an idea of the impact on the tax rate.

Ms. Ferguson also stated that if the Board is interested in hearing someone speak on Conservation Easements, she will arrange for someone come and speak; however, her feelings are that the farmers are really not interested in this.

Ms. Ferguson stated that if the Board wants to hear about the Conservation Easements she will schedule it for an upcoming Board meeting, but not the June 16th, meeting, since they will be making a decision on land use.

Mr. Tanner made a motion to adjourn the meeting at 7:05 p.m. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Meeting adjourned at 7:05 p.m.

William H. Craft, Chairman

On Monday, June 16th, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox, Virginia.

Present:	William H. Craft- Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson – County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Johnnie Roark – Planner Vicky Phelps – Administrative Assistant

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Tanner to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and called for the setting of the Agenda. Ms. Ferguson added an additional item to the agenda which will be item # 12A under Consent Agenda- line item transfer.

Chairman Craft next called for citizen public comments. Chairman Craft called on Mr. Ken Gaulden, Spout Spring, Route 647.

Mr. Gaulden stated that he is trying to keep his father in law's farm going since his illness and they would like to keep this farm in the family.

Mr. Gaulden explained that recently he had an adjacent property owner who was no longer able to keep their farm due to a death, fortunately the farm was subdivided and very nice homes were built. He is afraid that if this was to happen to his family it may not be the same result for his neighbors. Mr. Gaulden

3103	Sheriff (Town Police)	54,837.00
3104	Sheriff/Grant	94,656.00
3106	DARE	2,000.00
3203	Volunteer Fire Departments	140,398.00
3203	Volunteer Rescue Squads	27,386.00
3204	Forestry Service	11,124.00
3301	Sheriff/Jail	395,526.00
3401	Office of Building and Housing	70,585.00
3501	Animal Control	149,841.00
3503	Medical Examiner	500
3605	Emergency Services	12,440.00
3606	E-911	718,387.00
4101	Road Viewers	300
4203	Refuse Collection	247,073.00
4204	Refuse Disposal	721,400.00
4206	Litter Grant	7,500.00
4207	Recycling	21,300.00
4208	Tire Security	42,180.00
4302	General Properties	382,781.00
5101	Local Health Department	130,550.00
5105	Central Va Commission on Aging	5,768.00
5202	Central Va Community Services	38,555.00
5301	Social Services	5,407.00
5302	State Local Hospitalization	6,816.00
5309	Courthouse	0.00
5310	Comprehensive Services	1,026,174.00
6401	Central Virginia Community College	376.00
7101	Sports Complex Fund	100,000.00
7102	Parks & Recreation Department	193,569.00
7104	Tourism	40,000.00
7109	Contributions	14,315.00
7301	Public Library	185,789.00
8101	Planning (CVPDC)	9,035.00
8103	Debt Service	2,281,160.00
8104	Zoning	141,685.00
8105	Economic Development	612,231.00
8106	Chamber of Commerce	0.00
8111	Board of Zoning Appeals	900.00
8112	Planning Commission	10,548.00
8203	Robert E. Lee Soil and Water Conservation	10,000.00
8205	Erosion & Sed. Control	60,072.00
8303	Extension Services	49,623.00
9104	Capital Projects	2,782,057.00
II. Capital Improvement Fund (Uncommitted)		0.00
III. Virginia Public Assistance Fund		1,463,037.00
IV. School Operating Fund		21,575,019.00
School Cafeteria Fund		946,170.00
School CIP fund		0.00
School Special Project Funds		0.00

BE IT FURTHER RESOLVED, that the County Treasurer be, and is hereby, authorized to transfer from the General Revenue Funds pursuant to this Resolution, as monies become available, and from time to time to meet the expenditures for amounts appropriated sums equal to, but not in excess of, the appropriations indicated for transfer, as Transfer to Schools (Operation) and Transfer to Department of Social Services for the period covered by this Appropriation Resolution. Other inter-fund transfers shall be in accordance with the direction of the Board of Supervisors.

Adopted: 16-Jun-08

Aileen T. Ferguson
County Administrator

Mr. Conrad made a motion to adopt the FY2009 Appropriation Resolution as presented. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #2- Livestock Damage Claim and called for discussion.

Mr. Tanner made a motion to approve Livestock Damage Claim in the amount of 370.50 for Randy Trent. Mr. Carter seconded Mr. Tanner's motion. Chairman Craft called for further discussion. Hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #3 – Landfill Gas Extraction System Change Order and called for discussion.

Mr. Carter made a motion to approve the change order as presented and Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for further discussion. Hearing none, Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next called on Mr. Johnnie Roark to give the Board a brief update on the Governor's Conference on Drought that he attended on June 2nd, 2008.

Mr. Roark began that after attending this conference he would like to make the Board aware of the drought status stands for the upcoming year. Mr. Roark explained that since October 2006 statewide precipitation has been down by 18 percent and most recent rains have made up for shortfall, however we are still about 10 percent below the average rainfall for this time of the year. Mr. Roark stated that as the County stands now this area is still low on rainfall. Currently less than 8 percent of the State is within moderate drought conditions. Appomattox County is on the fringe of this area which is minimal drought conditions. Mr. Roark explained that we could be looking at some serious conditions coming at Appomattox County. Mr. Roark stated that Virginia has two months that are usually considered drought months which are July and August and that is normal for this part of the world. Mr. Roark stated that we

asks the Board to please consider land use. Mr. Gaulden stated that he was speaking for his father in law who was not able to be here to speak for his self.

Chairman Craft next called on Mr. Austin, Virginia Department of Transportation. Mr. Austin explained that he would like to update the Board on the photo red light enforcement which is allowed and based on population which would allow Appomattox County one photo red light. Mr. Austin stated that this would not be an easy thing to do and personally he is not sure having a photo red light in the County would be necessary.

Mr. Austin explained that the County would be responsible to pay for the studies that would need to be done and also the County would have to pay for the photo red light and installation. Mr. Austin stated that he wanted to make the Board aware that with the new legislation the red light photo is allowed if it meets the criteria.

Mr. Austin stated that he had a final copy of the Six Year Plan with a few adjustments from the original that was presented in February.

Mr. Austin explained that the upcoming year's allocation will be $684,407 and originally was projected at $8 or 9 hundred thousand during the public hearing. Mr. Austin stated that these figures have been going up and down since that time.

Mr. Austin stated that the adjustments really did not have a huge impact on the overall plan other than some projected construction dates. Mr. Austin stated that Route 608 has been put back into the plan.

Mr. Austin stated that the new regulations in Chapter 527 dealing with developments requiring traffic impact studies from developers, is strictly recommendations from VDOT as to what the study tell you and what improvements may be needed or impact that traffic would generate.

Mr. Austin handed out a summary sheet of what VDOT is going to be requiring.

Mr. Austin explained that VDOT would give the County the guidance that we would need and it would be up to the County to say yes you must submit a traffic impact analysis.

Mr. Austin explained that beginning July 1, 2008 there will be new guidelines on roadways, particularly primary routes, cross over space and commercial entrance space and traffic light space. Mr. Austin stated that even though it begins July 1st, it will be phased which would apply to Route 460 and Route 60 in the first phase. Mr. Austin also stated that VDOT usually installs entrance pipes for homeowners for free and legislation has done away with this being free and starting July the entrance pipe on Route 460 or Route 60 it will have to be done themselves or pay VDOT to install, and eventually it will be for the entire County.

Mr. Austin also stated that VDOT will be starting to pave Route 716 Pine Crest Lane. This will be the only unpaved road that VDOT will start on this year.

Mr. Carter questioned that if Wal-Mart did come to Appomattox would the stop light on Route 460 have to be reconstructed. Mr. Austin stated that a traffic impact analysis had been reviewed and there are some tenitive plans which would include a traffic signal at the off ramp of Route 460 and the main entrance will

be on Route 26, but none of this has been finalize at this time. The signal light on Route 460 would remain the same.

Mr. Conrad questioned that if Wal-Mart did come to Appomattox and population did significally increase the traffic in a significant area would this have a bearing on the impact of the photo red light. Mr. Austin stated no that the photo red light was based on population of the County. One light for every 10,000 persons and must be justified.

Mr. Austin asked the Board if they had any issues that they wished to speak with him about, having none Chairman Craft thanked Mr. Austin and then presented Administrative Item #1 – FY2009 Appropriation Resolution and called for any discussion.

COUNTY OF APPOMATTOX
APPROPRIATIONS RESOLUTION
FISCAL YEAR 2009

BE IT RESOLVED that the Board of Supervisors of Appomattox County, Virginia, herby appropriates for the Fiscal Year commencing July1, 2008 and ending June 30, 2009, from the funds, for the functions, and in the amounts indicated herein:

I. General Fund

1101	Board of Supervisors	209,928.00
1201	County Administrator	369,306.00
1204	County Attorney	24,500.00
1206	Independent Auditor	48,000.00
1209	Commissioner of Revenue	324,855.00
1210	Assessor/Reassessor	0.00
1211	Board of Equalization	0.00
1213	Treasurer	262,281.00
1220	Information Technology	141,750.00
1301	Electoral Board/Officials	48,636.00
1302	Registrar	79,179.00
2101	Circuit Court	21,360.00
2102	General District Court	3,006.00
2105	Juvenile/Domestic Relations Court	5,188.00
2106	Clerk of Circuit Court	246,322.00
2107	Sheriff(Civil Server)	71,041.00
2109	Court Services Unit	202,532.00
2130	Magistrate	850.00
2201	Commonwealth Attorney	395,381.00
2202	Virginia Domestic Victim Grant	39,810.00
2220	Witness Advocate Grant	21,359.00
3102	Sheriff	1,956,020.00

are about to enter into that time with an already below average rainfall. Mr. Roark stated that it is forecast to improve for a short amount of time and then when we enter into the fall and early months of winter the conditions may get worse and we could be entering into a more moderate or severe drought condition.

Mr. Roark stated that after watching wells that are monitored and normally recharge in November and they did not start recharging until late January but as it reached the mid point in May it had already started to decrease.

Mr. Roark stated that it was reported that East of I-95 ground water and surface levels were within normal range and West of I-95 was below normal range. All monitoring wells and stream flow gages in our area which are Bent Creek, Buckingham State Forest and Farmville are showing at below normal levels.

Mr. Roark reported that large reservoirs such as Smith Mountain Lake and Kerr Reservoir and Lake Anna are at full or above full which is good for long term.

Mr. Roark stated that public water facilities were discussed and there are 28 systems in the State right now that are on volunteer restrictions which includes the Town of Appomattox. Three water systems in the State are on mandatory restrictions.

Mr. Roark stated that the spring wild fire season is also an indicator of the dryness and since January 1st there have been 995 wild fires with over 25,000 acres burned.

Mr. Roark explained that this all relates to one of the major projects that the County is working on and that is the water supply planning project which was one of the local and statewide responses to the 2000 drought where the General Assembly passed legislation that required every locality to have a water supply plan that looked out 35- 50 years for alternative water sources.

Mr. Roark called for any questions that the Board may have.

Mr. Roark also gave the Board a packet of proposed amendments changes to the County code that he would like each of them to review and at the next meeting discuss in depth.

Chairman Craft presented Administrative Item #4- Assessment of Real Estate Devoted to Agricultural, Horticultural, and Forest Uses Ordinance and called for discussion.

Mr. Overstreet read a declaration for Mr. Tanner and Mr. Moore to acknowledge that they have a personal interest in the transaction of adopting Land Use taxation in Appomattox County by virtue of ownership of real estate in the County which may be eligible for Land Use. Therefore they are a member of a group that may be affected by this transaction.

Mr. Tanner and Mr. Moore declared that notwithstanding the above, they are able to participate in the transaction fairly, objectively, and in the public interest. This declaration is pursuant to the Virginia Code Section 2.2-3112.A.2 and 2.2-3115G.

Mr. Overstreet also made note that the ordinance that was circulated had one small change in it on the roll back taxes. The ordinance circulated does not provide an interest rate for the roll

back. Mr. Overstreet stated that after Virginia Code Section is 58.1-32-37 the ordinance shall read, the rate of interest is the same as delinquent taxes. Mr. Overstreet stated that if a motion is made to adopt this ordinance this will need to be part of the motion.

Chairman Craft called for discussion.

Mr. Conrad stated that this has been a controversial issue with a lot of emotion involved. Mr. Conrad stated this issue is very important and designed and set up so that land would be dealt with in the County to such an extent that you would try to implement a program that would keep farmers from selling their land because of high taxes and the land would not be over developed and you would keep a tranquil atmosphere. Mr. Conrad stated the recent reassessment caused some land assessment prices to go as much as 300 to 350 percent which seems unfair when taxes on homeowners went up 10-20 percent.

Mr. Conrad stated that in trying to make things equitable, it does not always make things fair. Mr. Conrad stated that he feels this Board has taken a serious look at this. Mr. Conrad stated that he is in favor of the land use ordinance.

Chairman Craft called on Mr. Tanner to express his opinion on the land use issue. Mr. Tanner thanked Mr. Conrad for his comments and feels that he is on target. Mr. Tanner stated that he wants people to understand that there is a huge inequality with regard to how the reassessment went. Mr. Tanner explained that the farmers will pay the same tax on their home as everyone else and will feel the same pain as all homeowners. Mr. Tanner stated that all he is asking is to try to keep Appomattox the great county that it is which farmland, cattle, and crops is and he would like to continue to see this. Mr. Tanner also stated that he would like to disqualify himself with regards to the forestry land because he would like to make a motion to adopt the ordinance as presented with the exception of the forestry land and to include the changes that were pointed out by the County Attorney. Mr. Moore seconded Mr. Tanner's motion and Chairman Craft called for further discussion.

Mr. Carter stated that there had been numerous statements about the Board adopting the land use ordinance. Mr. Carter stated from these statements the most vocal statements have come from the farming community while the residential community has taken a stance of waiting to see position and being less vocal with their comments. Mr. Carter stated that in October of 2005 a county wide meeting was conducted by the then Commissioner of Revenue Mr. Monte Mays and alerting all citizens that a tremendous increase was on the horizon when the next assessment took place. This increase was contributed to a large increase in land prices being escalated over the past couple of years. At that point the Board tried to collect all the information and data along with citizen response and the impact land use would have on the County. The Board decided it was impossible to collect all the information that would be needed to make this decision and at that time the Board decided to not enter into this ordinance. Mr. Carter stated that he has found that farmers in Appomattox County have received monetary funds from the State and Federal from 1995 to 2006 in the amount of $3,555,703.00 for 2007 funds have been received in the amount of $48,196 in subsidiary funds. Mr. Carter stated that he could not support the land use ordinance. Mr. Carter stated that at the last public hearing he heard the statement that farmers do not cost the County services which is very true to a certain point. Mr. Carter stated that he had ask the County Administrator to put into action an ordinance that requires developers to meet the criteria of developing subdivisions to required regulations. Mr. Carter stated that this is where responsibility and

accountability should be placed. Mr. Carter stated that Charlotte and Buckingham County are in the same situation that Appomattox County is in, which is lacking a substantial tax base to make up the difference. They do not have a land use ordinance. Mr. Carter continued to state that House Bill 2419 passed through Congress last month on a five year 289 billion dollar farm bill that subsidized for major crops such as cotton, corn, wheat, and rice.

Chairman Craft stated that he would like to say that he did not support land use the last time this was discussed by the Board because he did not like the way the State operated. Chairman Craft stated that now he feels that enough numbers have been presented to the Board that he would agree with Mr. Tanner and Mr. Conrad and support the land use ordinance.

Chairman Craft next called for a vote on adopting the land use ordinance. Chairman Craft called for a roll call vote: Mr. Carter, nay; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the next item for discussion Administrative Item #5 –Additional Holidays. Chairman Craft explained that most of the Constitutional Officers and County Offices have requested that the Board approve July 3rd and August 29th as additional holidays for 2008.

Chairman Craft called for discussion on this request.

Mr. Tanner stated that he felt this was a reasonable request especially with the low pay raise that it could be a way to let employees know that the Board appreciates them.

Mr. Tanner made a motion to approve the additional holiday request.

Mr. Conrad stated that he agreed with this statement and seconded Mr. Tanner's motion.

Chairman Craft called for further discussion on this issue.

Mr. Carter stated that due to the salary structure and because of the economic conditions this will be an incentive for each employee to be proud to work for Appomattox County.

Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the next item for discussion administrative item #6 – Appointment to the Social Services Board. Chairman Craft explained that Ms. Martha Watkins term expires on June 30, 2008 and she is not eligible for reappointment due to serving the maximum number of terms allowed.

Mr. Moore made a motion to appoint Ms. Robert Ferguson Womack to serve a four year term on the Social Services Board beginning July 1, 2008.

Mr. Tanner seconded Mr. Moore's motion to appoint Ms. Roberta Ferguson Womack to the Social Services Board.

Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Consent Agenda.

CONSENT AGENDA

Approval of Minutes

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:

Library

Please supplement by consent and appropriate $741.14 to the following line items for donations received, book replacement fees and book sales:

7301-5411 Books	$604.74
7301-5415 Summer reading	100.00
7301-5414 Pamplin Depot	36.40

Sheriff's Department

Please supplement by consent and appropriate the following to the part time salary and wages in the Sheriff's budget.

3102-1002 Part Time Salaries/Wages	200.00

Fire Department

Please supplement by consent and appropriate $500.00 to 3202-5305 in the Fire Department Budget for motor vehicle insurance. This line was short because no one anticipated Pamplin EMS adding an ambulance or Appomattox Fire Department adding a crash truck.

LINE ITEM TRANSFER:

Assistant County Administrator

Please transfer by consent $11,116.00 as identified below:

From	8105-6008	$2817.00
	1201-5203	8225.00
	1201-7002	74.00
To:	1201-7001	9617.00
	1101-3002	1499.00

Commissioner of Revenue

Please transfer by consent $329.00 from 1209-5501 Travel (mileage) to 1209-1003 Part-time Salaries and Wages.

County Administrator

Please transfer by consent $43,190.00 from 8103-8000 Debt Service to 9104-7007 Waterline Project.

Landfill

Please transfer by consent the following:

From:	4204-3009	$1160.95
To:	4208-1003	920.00
	4206-5413	240.95

Treasurer

Please transfer by consent the following:

From:	1213-5201	$3,860.00
To:	1213-3009	2,800.00
	1213-3010	415.00
	1213-5501	230.00
	1213-5504	400.00
	1213-5801	15.00

FUND TRANSFERS:

Courthouse Security Fund

Please transfer by consent $14000.00 from the Courthouse Security Fund into the General Fund to pay for security for FY2008 for the Courts.

Courthouse Maintenance Fund

Please transfer by consent $12,000.00 from Courthouse Maintenance Fund into the General Fund to pay for expenses related to the Courthouse for FY2008.

E-911 Fund

Please transfer by consent $200,000.00 from the E-911 Fund into the General Fund to pay expenses for the 911 Call Center for FY2008.

Sports Complex Fund

Please transfer by consent $3,848.39 from the Sports Complex Fund into the General Fund for expanses incurred in FY2008.

Mr. Carter made a motion to approve the Consent Agenda.

Mr. Tanner seconded Mr. Carter's motion to approve the Consent Agenda.

Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Information Items.

When Chairman Craft presented Information Item #25 – Police Payments Town of Appomattox- Ms. Ferguson stated that she would be getting with the Board at a later date and discussing the proposed reductions from the State that had already been discussed during budget time.

Ms. Ferguson stated that the money received from the State is going to continue to be less each year and she has talked with the Sheriff some about this. Ms. Ferguson stated that the Board has indicated that it may be that the Sheriff would not be able fill a position when he has a retiree for the Town position, but she will be discussing this with the Sheriff in greater depth and the Board at a later date.

Chairman Craft next presented the monthly department reports.

Ms. Ferguson stated that Ms. Scott will be leaving in September of this year. Ms. Ferguson stated that we hope to get someone on Board for her to train at least a week or so since this job has such demands. Ms. Ferguson stated that she would be discussing this with the Board again.

Chairman Craft next called for Supervisors Concerns.

Mr. Tanner sated that he would like to say thank you to the Board members that have voted for the land use ordinance, but he also wanted to let Mr. Carter know that he understands his concerns within the Town.

Mr. Carter stated that on Morton Lane there are a grove of trees hanging in the middle of the road and when we received some precipitation it could be a hazard.

Ms. Ferguson questioned who owned the land. It was believed to belong to Mr. Mayberry.

Mr. Carter stated that he would speak with him about this.

Chairman Craft next presented the upcoming meetings and called for any further discussion that the Board may have.

Mr. Tanner made a motion to adjourn the meeting at 7:35 p.m.

Mr. Conrad seconded Mr. Tanner's motion.

Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:35 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, July 7, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox, Virginia.

Present:	William H. Craft- Appomattox River District	
	Samuel E. Carter – Courthouse District	
	Thomas H. Conrad – Falling River District	
	Russell H. Moore – Piney Mountain District	(Arrived at 6:40 p.m.)
	Gary W. Tanner – Wreck Island District	
Also Present:	Aileen T. Ferguson – County Administrator	
	John K. Spencer – Assistant County Administrator	
	J.G. Overstreet – County Attorney	
	Johnnie Roark – Planner	
	Vicky Phelps – Administrative Assistant	

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Conrad to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and called for the setting of the Agenda. Mr. Overstreet added an item to the agenda under the Closed Session referring to Section 2.2-3711(A)7 of the Code of Virginia -litigation regarding reassessment.

Chairman Craft next called for citizen public comments. Hearing no public comments Chairman Craft presented Administrative Item #2- Public Hearing for Proposed Amendments to the County Code and called for discussion.

Mr. Roark stated that he would answer questions that the Board may have at this time on the information that was previously provided concerning the proposed changes.

Chairman Craft asked Mr. Roark if any research was done on Erosion and Sediment proposed fees.

Mr. Roark stated that the proposed fees for an Agreement in Lieu of an Erosion and Sediment Control Plan is $75.00 and ten dollars per acre, so if you are building a house on one acre of land the fee would be $85.00. Mr. Roark stated if you are doing anything other than building a single family dwelling the fee would be $300.00 plus $25.00 per acre.

Mr. Roark stated that in FY07 the total amount of revenue received for Erosion and Sediment Control Applications was $3,950.00 with our current fee structure. Mr. Roark stated if you take the same permits with the new fee structure the revenue received would jump to $10,875.00, then if you couple that with the other E&S amendments to lower the threshold from10,000 square feet to 5,000 square feet you would increase the revenue to $12,915.00. Mr. Roark also explained that the County is spending $30,000 to have an E&S Specialist, which the State is requiring us to have and the State allows you in the Code to recoup the cost of this specialist. Mr. Roark stated that he had called around to neighboring counties and in talking with Bryan Stokes in Campbell

County and with the different neighboring counties it was decided to model the Appomattox County ordinance by the Campbell County ordinance.

Mr. Roark called for further questions from the Board.

Mr. Conrad stated that he is confused with some of the deletions in the proposed zoning ordinance. Mr. Roark stated that our ordinance now is cumbersome because it is very use specific so, some uses are being deleted from the list because you are able to find it somewhere else in the ordinance under another category. Mr. Roark stated that we are trying to make it a little easier for someone to come into the County and have a business and this new ordinance will also make the process a little easier to administer.

Chairman Craft called for other questions that the Board may have for Mr. Roark.

Mr. Conrad questioned the proposed amendment on temporary signs such as political signs. Mr. Roark stated that this is something that the County has been dealing with since 2004. Mr. Roark stated that there are several Court cases and opinions from the Attorney General basically saying that the way zoning ordinances all over the country are treating them is as a temporary sign, and limiting the time they were allowed to be displayed was unconstitutional.

Mr. Roark and Mr. Overstreet stated that political signs are a freedom of speech and with the old ordinance we are limiting the time. Mr. Overstreet stated that he is not aware of any Court that has approved a certain time limit.

Mr. Overstreet stated that he has spoken with Mr. Roark about not regulating the signs at all unless we start seeing it as a problem.

Mr. Roark stated that basically we are eliminating the time limit for political signs.

Mr. Roark stated that usually the signs are taken down fairly quickly.

Ms. Ferguson stated that the Board would like to have a suggestion from Mr. Roark on when he would like the Board to hold the public hearing on the proposed changes.

Mr. Conrad asked Mr. Roark to explain the ordinance on the traffic impact analysis.

Mr. Roark explained that this language must be in the local ordinance because it is state law. Mr. Roark stated that not everyone is going to have to do a traffic study, there is a list of thresholds that VDOT has come up with. Mr. Roark stated that he had spoken with someone from Roanoke County and they have been doing the traffic analysis for over a year and they have had five new developments that have actually had to do a study. Mr. Roark explained that every new development will have to give him traffic data and he has a manual provided by VDOT to go by and it will tell him if the developer will need to go through the traffic analysis.

Mr. Roark explained that he will be making the initial determination if a traffic study is necessary it will then go to VDOT and a final consensus will be done and decision will be made.

Mr. Overstreet stated that there is also an unintended consequence of this traffic study. This requirement will make the person define or decide what the use will be because the traffic impact study will make them decide.

Mr. Conrad stated that now the customer must tell you at the time of their application what their plan is or the County would have to go to the worst impact scenario and send to VDOT for traffic study.

Mr. Roark stated that the customer will need to give a use and a traffic count at the time of application.

Mr. Roark stated that he would suggest holding a public hearing at the next scheduled Board meeting.

Mr. Conrad made a motion for the Board to hold a public hearing on the proposed amendments to the County Code July 21, 2008 at 6:00 P.M.

Mr. Tanner seconded Mr. Conrad's motion.

Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next called on Ms. Valarie Daughtery to come and appear before the Board. Chairman Craft explained that Ms. Daughtery had requested to meet with the Board to give an update on the happenings at the Appomattox Courthouse Theatre.

Ms. Daughtery began by thanking the board on behalf of the Courthouse Theatre Board of Directors for their continued use of the old courthouse for the theater. Ms. Daughtery explained that they have had three productions this season with 35 citizens auditioners and approximately 800 people attending these three productions.

Ms. Daughtery stated that they are hosting a summer workshop for children and teenagers in music and drama.

Ms. Daughtery stated that they have three productions planned for the third season.

Mr. Carter thanked Ms. Daughtery for providing this service to the citizens of Appomattox County.

Ms. Daughtery also stated that they have a Civil War Melodrama in the upcoming productions.

Ms. Daughtery stated that they have had great support from citizens and businesses in and around the County.

Chairman Craft thanked Ms. Daughtery and then presented Administrative Item #1- Request by the Gladstone Senior Center.

Chairman Craft called for discussion on this issue.

Mr. Conrad stated that the Board needed to consider that the budget for this year is already completed and the County does give money to Central Virginia Agency on Aging which takes care of this type of service. Mr. Conrad stated that he was not sure, but CVAAA may already provide these services and this would be a duplicate of services.

Ms. Ferguson explained the services that are provided by CVAAA to the Board.

Chairman Craft stated that it would be the consensus of the Board to take no action on this issue.

Chairman Craft next presented Administrative Item #3 – State Across the Board Budget Cuts.

Chairman Craft explained that VACo has been working with local government officials to draft a response on the budget reductions that have been approved and would like the Board to adopt this resolution.

Mr. Carter questioned if CSA funds were untouchable. Ms. Ferguson stated that the Board had discussed the possibility of pulling funds strictly from CSA because we did not feel that those funds would be touched, but that is totally incorrect. Ms. Ferguson stated at this time we are not sure of what the State is going to do. Ms. Ferguson explained that most Counties that she had spoke with had decided to not take these reductions from any certain department. They are going to take the lump sum of money and send it to the State in January 2009 just as this Board has decided we would do rather than cutting specific departments.

Ms. Ferguson stated that Supervisor Conrad had wanted an avenue to express our concerns to the State about the impact these reductions are having on local tax payers and this gives you the opportunity to do so.

Mr. Tanner made a motion to adopt the resolution to the State addressing the budget reductions.

Mr. Conrad seconded Mr. Tanner's motion.

Resolution to Provide Local Aid to the Commonwealth

WHEREAS, the General Assembly chose to respond to shrinking revenue growth by shifting to local governments the responsibility for reducing $100.0 million of core services; and

WHEREAS, the Governor signed into law this $100.0 million appropriation reduction for local governments in the 2008-2010 biennium without identifying the programs to be reduced; and

WHEREAS, these reductions are in addition to those made by the General Assembly and approved by the Governor affecting law enforcement, elementary and secondary education, profits from the Alcoholic Beverage Control Enterprise Fund and distributions of win liter tax collections, constitutional offices, the upgrade of wastewater treatment facilities in conformance with water quality standards and goals, and farmland preservation to name but a few; and

WHEREAS, the $100.0 million reduction will likely be carried forward into future bienna forcing city and county governments to choose between raising taxes or reducing services;

NOW, THEREFORE, BE IT RESOLVEID THAT, the Appomattox County Board of Supervisors does hereby support the recording of this intergovernmental revenue reduction from the Commonwealth as **Local Aid to the Commonwealth**; and

BE IT FURTHER RESOLVED THAT, this recording on all financial records shall be shared with the delegation, the Governor and local news media so that citizens understand the decision made by this governing body in response to the Commonwealth's choice to delegate their constitutional obligation to local governments.

Chairman Craft called for further discussion, hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #4- Virginia Association of Counties Annual Conference and called for discussion.

Chairman Craft explained that three rooms have been set aside for the County and will be held a certain length of time.

Mr. Conrad stated that he was interested in attending this conference. Mr. Conrad stated that he would check his calendar and let Ms. Ferguson know within the next couple of days if he would be able to attend.

Mr. Tanner stated that he would attend this conference this year.

Chairman Craft next presented the Consent Agenda.

CONSENT AGENDA:

Approval of Minutes
Approval of Bills

SUPPLEMENTAL APPROPRIATIONS FY2009:

Board of Supervisors
Please supplement by consent and appropriate $15,359.00 to 1101-2011 Workman's Compensation Insurance in the Board of Supervisors budget. As the budget was being developed an audit was performed by the insurance company and this resulted in an increase in the premium due to the E911 center employees.

Road Viewers
Please supplement by consent and appropriate $16,104.70 to 4101-3002 for a reimbursement received from the State. As you will remember the Home Owner's Association in Country Haven Estates was attempting to pave all of their roads to State Standards. They deposited these funds with us and we sent them to the State to pay for their portion of the improvements. They were unable to get all of the right-of-way donated so therefore they were forced to abandon the project.

Carry Over Funds: (enclosure p.)
Please carry the following funds over to the FY2009 budget:

$73,021.63	Virginia Domestic Violence Grant

5.43	Law	Enforcement Grant
5,881.19	DMV Grant	
1,940.18	Summer Reading Program	

LINE ITEM TRANSFER FY2008

County Administrator

Please transfer by consent the funds as identified below:

From	1201-1003	$	8,450.00
	1211-1001		437.00
	7102-3004		1,154.00
To:	1101-5401	$	2,179.00
	1101-5408		50.00
	1101-5504		250.00
	1101-5801		3,000.00
	1101-5806		290.00
	1101-7001		660.00
	1101-2006		602.00
	1101-3007		1,419.00
	2107-1001		417.00
	2201-1003		20.00
	7301-1001		50.00
	7301-2001		21.00
	7301-2002		444.00
	7301-2005		285.00
	7301-3002		354.00

Mr. Conrad made a motion to adopt the Consent Agenda as presented.

Mr. Tanner seconded Mr. Conrad's motion.

Chairman Craft called for discussion, hearing none, Chairman Craft called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Information Items.

Ms. Ferguson stated that she had just received some information on the Town Police Agreement today. She stated that the Town has budgeted $49,231.00 and they feel that is what they will be getting from the State which will just about cover the town position.

Ms. Ferguson stated that Chairman Craft had some questions on Information Item #6- Nutri-Blend, Inc. and she will be contacting Nutri-Blend to get some answers and report back to the Board.

Mr. Craft stated that the process is not described as to how the bio-solids are being treated.

Ms. Ferguson next stated that Mr. Roark needed to be congratulated on a job well done in getting funding for the Appomattox Heritage Trail which has been approved in the amount of $138,000.00.

Chairman Craft called for Supervisors Concerns before the Board entered into a closed session under Code Section 2.2-3711 (A) (1) to consider salary adjustments for several County employees.

Mr. Tanner stated that he had talked with Ms. Ferguson about how Campbell County is taking a look at going green and he would like to see Appomattox County participate in this, by setting an example to show citizens we are trying to be good stewards with tax money.

Mr. Tanner stated that the County Website needed to be updated.

Mr. Conrad stated that he feels the Board needs to move forward on the water line. Mr. Conrad stated that we have Walmart considering coming here and we do not want this to fall through because of water. That would be a disservice to the County. We also have an Industrial Park with many citizen complaints about it not being used. Mr. Conrad stated that one thing that would spur usage of the Industrial Park and growth in this County would be to develop infrastructure so that you would have some flexability in the park and have people wanting to look at coming here. Mr. Conrad stated that we have been talking about this water line for four years and made some moves and motions in developing this and we need to go ahead and develop a committee and develop a plan for using the water and making it a go. Mr. Conrad stated that the Board has made their decision and we need to move forward.

Mr. Conrad stated that we need to stop waiting on the Town to decide what they want and move ahead.

Mr. Tanner stated that he agrees with Mr. Conrad and that Campbell County is making good progress and if we don't start now we are going to miss our opportunity.

Mr. Carter stated that right now there are tender moments within the Town Government and he does not feel like within the next sixty days it would be in the best interest of the County to move forward. The Board needs to give the new Council and Mayor an opportunity to get established.

Mr. Conrad stated that he feels that by September the County needs to have some decisions made and ready to move forward.

Mr. Tanner suggested that the Board should have their committee and then when the Town is ready they can join.

Mr. Craft stated that Mr. Overstreet would like to discuss pending litigation on two applications that have been filed in Circuit Court for reassessment.

Mr. Overstreet stated that he was going to discuss this item in closed session so not to jeopardize the County, but he would go ahead and if the Board should decide we need to go into closed session we can continue it at the next meeting in executive session.

Mr. Overstreet stated that we have two applications that have been filed within the Circuit Court for review of the assessment in our recent reassessment. Both of these petitions are two different

land owners and neither went through the Board of Equalization so they did not have a review by the Board of Equalization and have gone directly to the Circuit Court.

Mr. Overstreet stated that these applications were filed before the Board set its tax rate levy for the year.

Mr. Overstreet stated that he had filed a motion to dismiss both of these because when reading the statue they are required to go through the Equalization Board and then appeal the order of the Equalization Board. Mr. Overstreet stated that there is also another statue that allows a tax payer to file a complaint to the Circuit Court on the taxation. When the applications were filed there was no tax rate to complain about. Mr. Overstreet stated that even if the Court grants his motion to dismiss the applicants they can amend their application and use a different code section which would still give them their day in court.

Mr. Overstreet stated that he also wanted to let the Board know that Mr. Harold Wingate has looked at these properties and he has come back with a recommendation to him regarding both properties which will be sent to the property owners to see if we can have any accommodations and if not we will have to go before the Judge and have a hearing.

Mr. Overstreet stated that what he needed to know was what role the Board wants to have in this? This application is actually against the County, so his question is does the Board want to have Ms. Ferguson and Mr. Overstreet and Ms. Henderson if she wishes to participate, regarding the assessment, go ahead and deal with the property owners.

It was the consensus of the Board to allow Mr. Overstreet and Mrs. Ferguson to handle this issue for the Board.

Mr. Overstreet stated that he would move ahead with this and report back to the Board.

Mr. Craft next reminded the Board of upcoming meetings.

Ms. Ferguson reminded the Board of the July 21, 2008 public hearing scheduled for 6:00 p.m. on the amended County code sections.

Chairman Craft called for a recess at 7:40 p.m.

The meeting reconvened at 7:47 p.m.

Chairman Craft explained that the next item would be a closed session under Section 2.2-3711(A) (1) Personnel to discuss salary adjustments for several employees. Mr. Carter made a motion to enter into closed session at 7:47 p.m. Mr. Tanner seconded Mr. Carter's motion. Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Tanner made a motion to go out of executive session at 8:50 p.m. Mr. Moore seconded Mr. Tanner's motion. Vote Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft read the Certification Motion for a Closed Meeting.

Whereas, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

Whereas, Section 2.1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

Now, Therefore, Be It Resolved, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discusses in the closes session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors: Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft asked if there was any action from the closed session.

Mr. Tanner made a motion to approve an additional increase for the Assistant County Administrator in the amount of $1725.00. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a Roll Call Vote: Mr. Carter, nay; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner aye.

Mr. Tanner made a motion to approve an additional increase for the County Administrator in the amount of $6,550.00 Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Tanner made a motion to adjourn the meeting at 8:50 p.m. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye. Mr. Tanner, aye.

The meeting adjourned at 8:50 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, July 21, 2008 at 6:00 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:

William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Craft called the public hearing to order at 6:00 p.m. and explained the purpose of the public hearing would be to receive public comment on proposed ordinance changes.

Chairman Craft pointed out that the Community Center now has a new sound system which will make hearing better for the Board and the audience.

Chairman Craft called on Mr. Roark and asked him to give a statement on the proposed ordinance changes.

Mr. Roark stated that these amendments were discussed at the last Board meeting and the proposed changes have been properly advertised.

Mr. Roark stated that he had one telephone call which was on the Areas of Disturbed Land Threshold from Mr. Tommy O'Brien who was in opposition to this proposed amendment. Mr. Roark stated he has had no other comments or calls regarding these proposed changes.

Chairman Craft ask the Board if they had any questions for Mr. Roark.

Mr. Tanner noted the proposed policy on political signs would then be treated no differently than any other temporary sign. Mr. Roark stated that was correct based on the Attorney General stating that the time limit was unconstitutional.

Mr. Kevin O'Brien came forward and gave his address as 5605 Old Courthouse Road, Appomattox, Virginia. Mr. O'Brien stated that he had checked with surrounding Counties on their Erosion and Sediment ordinances and all of them are still at the state level of 10,000 square feet of land disturbance. Mr. O'Brien stated that he is questioning why Appomattox County would want to go to the 5,000 square feet and not just enforce the 10,000 square feet ordinance that we now have in place. Mr. O'Brien stated that he feels this is more of a police issue than an ordinance issue. Mr. O'Brien stated that he sees a lot of land disturbance issues going on and calls them in when he sees this. Mr. O'Brien stated that if he as a general contractor has to abide by the ordinance citizens should have to do the same. Mr. O'Brien stated that he feels the 10,000 square feet is adequate and the problem lies within enforcement and policing of the ordinance. Mr. O'Brien stated that having Phillip Moore employed as the E& S Specialist will help the County tremendously.

Mr. O'Brien also stated that the County may have to make examples out of some of those who do not want to abide by the ordinance.

Chairman Craft called for other comments, hearing no other comments, Chairman Craft closed the public hearing at 6:04 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, July 21, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Carter to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and called for the setting of the agenda.

There were no additional items for the agenda.

Chairman Craft next called for citizen public comments.

Having no public comments, Chairman Craft presented Administrative Item #1 – Central Virginia Community Services Board.

Chairman Craft stated that the Central Virginia Community Services Board is running in a deficit this year and at the end of the year they were two thirds of a million dollars over the budgeted amount, which is why the 28 day substance abuse program was cut. The substance abuse program cost about one million dollars a year to administer and only brings in about $10,000 in return. This was done to save other programs that were felt were more beneficial to all citizens.

Mr. Carter made a motion to approve the Central Virginia Community Services FY2009 Performance Contract as presented. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for further discussion, hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #-2- Appomattox Lions Club Damage Deposit, and then called for discussion from the Board.

Mr. Tanner questioned that if the Board waived fees for the Lions Club, would we require the same documentation from other citizens who make the same request.

Ms. Ferguson stated that the same requirements would be for any local organization who wished to use the field.

Mr. Overstreet stated that the Board needed to be careful when deviating from their policy. We must treat everyone the same or we will have an equal protection problem.

Mr. Tanner stated that he did not have a problem waiving the damage deposit.

Mr. Carter made a motion that the Board waive the $100 damage deposit for the Lions Club Food Festival. Mr. Moore seconded Mr. Carter's motion. Hearing no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #3- Virginia Retirement System Resolution and called for discussion from the Board.

RESOLUTION
Affirmation of Authorization to Pick-up the Employee's Contribution to VRS for APPOMATTOX COUNTY, 55105 Under §414 (h) of the Internal Revenue Code

WHEREAS, APPOMATTOX COUNTY provides its employees with tax deferral pursuant to §414 (h) of the Internal Revenue Code with respect to their member contributions to the Virginia Retirement System (referred to as VRS) by picking up member contributions to VRS; and

WHEREAS, VRS keeps track of such picked up member contributions, and treats such contributions as employee contributions for all purposes of VRS;

WHEREAS, the Internal Revenue Service in Notice 2006-43 has provided transition relief for existing pick up arrangements provided that an authorized person takes formal action to evidence the establishment of the pick-up arrangement no later than January 1, 2009.

WHEREAS, in order to avail itself of the protection given under Notice 2006-43, APPOMATTOX COUNTY desires to affirm its intention to establish and maintain a pick-up arrangement through formal action by its governing body.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the existing member contribution pick-up arrangement is hereby affirmed as it relates to salary reduction elections in effect prior to the date of this Resolution, and it further

RESOLVED that effective the first pay day on or after January 1, 1989, the Appomattox County Board of Supervisors shall pick up member contributions of its employees to VRS, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States; and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by APPOMATOX COUNTY in lieu of member contributions; and it is further

RESOLVED that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and it is further

RESOLVED that member contributions made by APPOMATTOX COUNTY under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement, and it is further

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by APPOMATTOX COUNTY directly instead of having them paid to VRS; and it is further

RESOLVED that notwithstanding any contractual or other provisions, the contributions of each member of VRS who is an employee of APPOMATTOX COUNTY shall be picked up either through a reduction in the current salary of such employee or as an offset against future salary increases of such employee or as a combination of both at the option of the employer by APPOMATTOX COUNTY on behalf of such employee pursuant to the foregoing resolutions.

Ms. Ferguson stated that there are no changes in this resolution. We are basically rubber stamping a resolution that was adopted by the Board 20 years ago.

Mr. Tanner made a motion to adopt the resolution for the Virginia Retirement System employee's part of retirement. Mr. Moore seconded Mr. Tanner's motion. Chairman Craft called for discussion, hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #4 – Job Descriptions and called for discussion.

Mr. Conrad made a motion to approve the change to the job description of the 911 Coordinator and appoint the County Administrator as the Director of Emergency Services. Mr. Moore seconded Mr. Conrad's motion. Hearing no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft called for discussion on the proposed changes to the job description of the Finance Coordinator.

Ms. Ferguson explained that when the payroll clerk was hired in October of 2004 the responsibilities of payroll were taken from the finance coordinator and given to the position of

payroll clerk. Ms. Ferguson stated that recently she found that the job description had not been changed.

Ms. Ferguson stated that the Board needed to officially make this change.
Mr. Moore made a motion to approve the changes to the job description of the Finance Coordinator. Mr. Tanner seconded Mr. Moore's motion. Hearing no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #5 – Resignation from the Economic Development Authority.

Chairman Craft questioned if the vacant position would be advertised. Mr. Carter stated that this did not need to be advertised due to having three citizens apply at an earlier date.

Mr. Carter stated that out of the three applicants that applied for the Economic Development Authority position earlier this year, Mr. Millner was the only one not appointed and he would like to serve in this capacity. Mr. Carter stated that he did not see a reason to advertise again.

Mr. Craft stated that Mr. Millner was appointed to the Planning Commission and he would not be able to serve on both committees.

Mr. Overstreet stated that he would have to resign from the Planning Commission to serve on the Economic Development Authority.

Mr. Overstreet told the Board that they could appoint Mr. Millner subject to his resignation to the Planning Commission. He stated that Mr. Millner would need to send a formal letter of resignation.

Mr. Carter made a motion to appoint Mr. Chad Milner to the Economic Development Authority subject to his resignation on the Planning Commission. Mr. Tanner seconded Mr. Carter's motion. Hearing no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #6- Renewal Rates for Health and Dental Insurance.

Ms. Ferguson stated that there was only a 2.6 percent increase in premiums, but we also are going to increase our coverage by adding routine wellness and well baby care coverage at 100 percent.

Mr. Tanner made a motion to approve the rates for health insurance for the term beginning October 1, 2008 to September 20, 2009. Mr. Conrad seconded Mr. Tanner's motion. Hearing no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Consent Agenda and called for discussion.

CONSENT AGENDA
Approval of Minutes
Approval of Bill

SUPPLEMENTAL APPROPRIATIONS:
Library
Supplement by consent and appropriate $605.16 to the following line items in the Library budget for donations received, book replacement fees and book sales:

7301-5401 Office Supplies	$353.90
7301-5411 Books	165.21
7301-5415 Summer reading	50.00
7301-5414 Pamplin Depot	36.05

Animal Control
Supplement by consent and appropriate $200.00 to 3501-5404 Medical Supplies for a donation received by animal control.
Sheriff's Department – Triad Funds
Supplement by consent and appropriate $1,481.69 to 3102-5804 in the Sheriff's budget for balance remaining in Triad donations at the end of the fiscal year.

Also, supplement by consent and appropriate $100.00 to 3106-5401 Dare office supplies for a donation received.
Building Official
Supplement by consent and appropriate $300.18 to 3401-5411 Books in the Building Inspection budget for reimbursement received from a contractor.
LINE ITEM TRANSFER:
County Administrator
Transfer by consent $22,651.00 as identified below:

From:	5310-1003 Part Time Salaries	$21,000.00
	5310-2001 FICA	1,607.00
	5310-2009 Unemployment Ins.	44.00
To:	4207-1003 Part time salaries	$21,000.00
	4207-2001 FICA	1,607.00
	4207-2009 Unemployment Ins.	44.00

FUND BALANCE CARRY OVERS
Carry over Fund Balances
Please carry forward into the FY2009 Year the following fund balances:

Comprehensive Services	$13,505.31
Law Library	28,109.18
Ballpark (Town Ballpark)	33.69
Capital Improvement	3,249,755.14
Courthouse Maintenance	1,620.10
Cost of Keep Jail	24,025.09

Wireless Grant	52,687.80
Courthouse Security	56,932.05

Hearing no discussion on the Consent Agenda Mr. Moore made a motion to approve the Consent Agenda as submitted. Mr. Carter seconded Mr. Moore's motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Ms. Ferguson stated that the County has finished the year with a fund balance of 3.1 million dollars plus the other designated fund balances which is pretty much where the County has been staying for the past several years.

Chairman Craft next presented the Information Items.

Mr. Carter stated that he could not see where they were stating they were depositing these biosolids. Ms. Ferguson stated the list is of tracts and is not necessarily by the owners name, but listed in the name of who actually applied.

Ms. Ferguson stated that in this agreement with Prince Edward County, Appomattox County is going to provide them with Erosion and Sediment Control services during the time their specialist is out on maternity leave. Ms. Ferguson stated that it is the hope that we can continue helping out even after their specialist returns and then the Erosion and Sediment position would be funded by three counties.

Chairman Craft next called for Supervisor Concerns.

Mr. Tanner stated that he thinks the new audio system is a vast improvement.

Mr. Carter stated that Central Virginia Land Conservancy will be at the Community Center on August 11th. Mr. Carter stated that he wanted to know if persons who have applied for land use can also apply for this and if so, would the tax payers be getting hit double with land use and conservation easements.

Ms. Ferguson stated that in conservation easements you actually are getting a break on your income taxes for federal and state.

Mr. Conrad stated that when you go into a conservation easement your land is tied up and could not be used for anything other than farm use.

Mr. Craft stated that he had not spoken with anyone in favor of a conservation easement.

Chairman Craft presented the upcoming meetings and then called for other discussion, with no further discussion; Mr. Carter made a motion to adjourn the meeting at 6:55 p.m. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 6:55 p.m.

William H. Craft, Chairman

On Monday, August 4, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held its regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant

Chairman Craft called the regular scheduled meeting to order at 6:30 p.m. and called on Mr. Tanner to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and then called for setting of the agenda.

With no changes to the agenda, Chairman Craft proceeded to the Public Comment Session, hearing none; Chairman Craft next presented Administrative Item #1- VDOT Resolution and called for discussion.

At the regular meeting of the Board of Supervisors of Appomattox County, Virginia held on the 4th day of August 2008, it was duly moved and seconded that the following Resolution be adopted:

NOW THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the street description below and on the attached additions Form AM-4.3 to the Appomattox County Secondary Road System for maintenance. The following subdivision road which has been constructed by the sub divider as a Class "A" subdivision in accordance with the requirements of Section 33.1-229, of the Code of Virginia, 1952, and The Virginia Department of Transportation's Subdivision Street Requirements, 1996, **TO WIT:**

JONESFIELD SUBDIVISION, SECTION 1

Soybean Drive, Route 1066 - Beginning at a point at the intersection of Route 642, west for .59 miles to Cul-de-sac.

Total Length – .59 miles Right of Way 50 feet

BE IT FURTHER RESOLVED, that this Board does guarantee a minimum unrestricted fifty (50) foot right of way with additional widths as may be necessary for cuts, fills and drainage, together with easements on adjoining properties.

Recorded in Plat Cabinet 1, Slide 124-C-F on November 7, 2006 in the Appomattox County Clerk's Office.

Mr. Carter made a motion to adopt the VDOT Resolution accepting Soybean Drive in Jonesfield Subdivision, Section 1 into Appomattox County's Secondary Road System for maintenance. Mr. Tanner seconded Mr. Carter's motion. Hearing no discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #2 - Proposed Amendments to the County Code and called for any discussion.

Mr. Tanner stated that these changes would be bringing Appomattox County more in line with surrounding Counties.

Ms. Ferguson stated that this will help administration with some gray areas of the previous ordinance.

Mr. Tanner made a motion to adopt the amendments to the Erosion and Sediment Control Ordinance and the Building Code Ordinance as proposed. Mr. Conrad seconded Mr. Tanner's motion and hearing no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item # 3 - State Budget Reductions and called for discussion.

Ms. Ferguson stated that the majority of what the State reimburses the County is in salaries so you end up reducing services because you would have to cut personnel in order to cover these expenses.

Mr. Craft stated that the best option would be option number two which would be the County making a reimbursement payment directly to the commonwealth for all of the locality's reductions.

Ms. Ferguson explained that this would be the best option, because then you would not be establishing baseline figure that can be adjusted for that program.

Mr. Craft stated that most localities are going with the option #2 which is the option Appomattox has chosen.

Mr. Carter made a motion to adopt option #2 in which the County would make a reimbursement payment directly to the Commonwealth for all of the localities reductions. Mr. Moore seconded Mr. Carter's motion. Chairman Craft then called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye: Mr. Tanner, aye.

Chairman Craft presented Administrative Item #4-Music or Entertainment Festival Permit and called for discussion by the Board.

Chairman Craft stated that this event has provided money to some good causes.
Mr. Conrad made a motion to approve the application for a music festival to be held by Ken and Bonnie Swanson on August 30th from 11:00 A.M. – 8: P.M. and to waive the bond requirement. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #5 - Request to Waive Fee for Use of Courtland Field and called for discussion.

Mr. Tanner made a motion to approve the request to waive the $100.00 rental fee for Liberty Baptist Church. Mr. Moore seconded Mr. Tanner's motion. Hearing no other discussion Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Consent Agenda and called for discussion.

CONSENT AGENDA
Approval of Minutes
Approval of Bills

SUPPLEMENTAL APPROPRIATION
The Building Official is requesting a supplemental by consent and appropriation of $354.18 to 3401-5411 Books in the Building Officials' budget for reimbursements received for Code Books.

Mr. Conrad made a motion to approve the Consent Agenda as submitted. Mr. Moore seconded Mr. Conrad's motion. Hearing no discussion, Chairman Craft called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the information items and called for discussion.

A letter of resignation was received from Mr. Chad E. Millner, from the Appomattox County Planning Commission, effective immediately. Mr. Millner, upon resignation, has

been sent his letter from the Economic Development Authority notifying him that he has been appointed to the EDA.

Mr. Carter stated that the Board would need to make an appointment to Planning Commission from Falling River District.

The Annual Plan of Work for the Robert E. Lee Soil and Water Conservation District for Fiscal Year 2009 was submitted for information.

Monthly Department Reports was submitted by the following departments:

- Building Official
- Comprehensive Services Act
- Parks, Recreation and Tourism

Having no further discussion on the informational items Chairman Craft called for Supervisor Concerns.

Mr. Tanner provided the Board with information from County Connections regarding the Virginia Board of Towing and Recovery Operators under Section 46.2-2826 of the Code. Virginia Board of Towing Recovery Operators is required to establish regulations to Class A and Class B Operators who provide public safety towing and recovery services.

Mr. Tanner stated that smaller Class B towing operators are concerned if the new safety rules are too strict they will be placed at significant competitive disadvantage compared to the larger Class A operators.

Mr. Tanner stated that since residents in rural areas often rely on the smaller operators for towing services many local governments have a stake in this issue. Mr. Tanner also stated that being a volunteer he has a stake in this because if local operators do not qualify, volunteers will have longer hours in traffic waiting for a larger operator and then you are going to loose volunteers because you will be wasting their time.

Mr. Carter stated that the General Assembly has blocked the effective date until 2010.

Mr. Tanner stated that during the legislative session state police testified that if these new regulations go into effect, 70% of the towing operators will not be qualified to perform towing upon the request of local law enforcement agencies.

Mr. Tanner stated that he would be getting more information on this issue and bringing it back to Board.

Mr. Carter stated that in applying biosolids he feels it is prudent for the County to find ways to let not only the neighbors know which we currently do, but in letting citizens know within the County and also potential citizens to the County know the properties that have received biosolids.

Mr. Carter stated that in looking through the paper last week he read that Bedford County has really put a answer on ways to alert the public to these facts.

Mr. Carter stated that he would like the County Attorney to look into this and get back to the County Administrator and then bring to the Board for review.

Mr. Carter questioned if Ms. Ferguson is still working on the Economic Development job description.

Ms. Ferguson stated that a job description for an Economic Development position is currently being worked on.

Mr. Craft stated that he attended a regional training exercise in Pamplin with neighboring volunteer fire and rescue participants, and it was a very impressive exercise.

Chairman Craft next called for a recess at 6:50 p.m. to wait for scheduled appearances.

Chairman Craft reconvened the meeting at 7:00 p.m. and called on Mr. Gary Heiser, State Forest Manager to come and speak to the Board.

Mr. Heiser came forward and gave the Board a check in the amount of $16,489.00 for the County's share of the proceeds from the sale of timber off the State Forest.

Mr. Heiser then stated that it had been decided to improve what we already have. They are hoping to provide larger maps, signage for trails and they are currently printing brochures for the County Visitor Center. They are also hoping to improve the trails, they currently have about 20 miles of trails for horse riding but nowhere for them to park the trailers. Mr. Heiser asked the Boards permission to combine the monies for Buckingham and Appomattox and the Board agreed to this.

Mr. Heiser then asked the Board if they had any questions for him, hearing none, Chairman Craft thanked Mr. Heiser and then reminded the Board of the upcoming meetings.

Chairman Craft next called for a recess at 7:07 p.m. to wait for the next scheduled appearance.

Chairman Craft reconvened the meeting at 7:09 p.m. and welcomed Mr. Bruce Alexander.

Mr. Bruce Alexander came and gave his address as Carson Drive, Spout Spring, Virginia and stated that he would like to address the Board in regards to a farm house that he had purchased three years ago and refurbished.

Mr. Alexander explained that Carson Drive is a private road with two subdivisions and also some private property which includes his dwelling.

Mr. Alexander stated that within weeks of purchasing his property a problem of property negligence became evident to him.

Mr. Alexander explained that he had tried to address these issues by letter to the proper authorities with less than satisfactory results.

Mr. Alexander explained that several weeks ago while doing yard work, he was almost run down by a citizen who lives in one of the mentioned subdivisions. Mr. Alexander stated that he did report this to sheriffs department and they referred him to magistrate in which he had a warrant sworn out for this person. On the day of Court this warrant was thrown out due to being no reckless driving on private roads or no moving violations while on private roads.

Mr. Alexander stated then he decided that it was not safe in this neighborhood and made the decision to sell his property. Mr. Alexander stated that he has had buyers come by and express interest, however, they would not make an offer because of the adjacent property. Mr. Alexander stated that he had come to the conclusion that since the County is not enforcing the County ordinances it has made his property unmarketable.

Mr. Alexander stated that he wrote a letter in 2006 to the County about some abandoned trailers. In January 2007 he received a letter giving the owner thirty days to move this trailer. Mr. Alexander stated that this abandoned trailer set on this property until September which was months later. The owner eventually dismantled the trailer and then left the debris. Mr. Alexander stated that he again wrote the County a letter letting them know that the results were unsatisfactory. Mr. Alexander stated that he received a letter back from the County noting that his complaint had been handled. Mr. Alexander stated that this went on from September to 2008 until he finally hired someone and had the debris burned himself.

Mr. Alexander stated that he has other neighbors that are having the same problem and have also sent letters to the County stating these problems.

Mr. Alexander provided pictures to the Board of his neighbor's property and then explained the problems that he had with these properties.

Mr. Alexander called for questions that the Board may have.

Mr. Conrad questioned Mr. Alexander if when he moved into his dwelling on Carson Drive as to what the conditions were like.

Mr. Alexander stated that the properties were in a neglected condition when he moved to Carson Drive, however, he assumed that the County was not aware of the problems and once reported that over time conditions would improve.

Mr. Conrad stated that each neighbor has the right to live as they see fit.

Mr. Alexander stated that he has never seen property abused in the way some of the properties adjacent to him has been abused.

Mr. Alexander stated that he understands owner's rights and he depends on them also.

Mr. Alexander thanked the Board for allowing him to come and speak.

Chairman Craft called for other discussion that the Board may have, hearing none, Mr. Tanner made a motion to adjourn the meeting. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:25 p.m.

William H. Craft, Chairman

On Monday, August 18, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the meeting to order at 6:30 p.m. and called on Mr. Moore to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and called for the setting of the agenda.

Ms. Ferguson removed Administrative Item #2 – Waive fee for Use of Courtland Field from the agenda. Ms. Ferguson explained that Ms. Dixon had called the office earlier

today and stated that the Chamber was still working on needed permits and would have to cancel this activity until a later date.

Ms. Ferguson added to the agenda Administrative Item #4A- letter from Virginia Cooperative Extension asking the Board to establish a disaster declaration due to lack of rainfall.

Chairman Craft next called for citizen public comments, hearing none, Chairman Craft presented Administrative Item #1 – Central Virginia Community Services Board Resolution.

RESOLUTION OF THE
APPOMATTOX COUNTY BOARD OF SUPERVISORS
APPROVING THE ISSUANCE OF DEBT BY THE
VIRGINIA COMMUNITY SERVICES BOARD
AND RELATED MATTERS

WHEREAS, the Central Virginia Community Services Board (the Board) is a public body politic and corporate of the Commonwealth of Virginia duly created pursuant to Chapter 5, Subtitle II, Title 37.2 of the Code of Virginia of 1950, as amended (the Act), and is organized and operated in accordance with the Charter Agreement by and among the Counties of Amherst, Appomattox, Bedford and Campbell, and the Cities of Bedford and Lynchburg (collectively, the Member Jurisdictions);

WHEREAS, pursuant to the terms and conditions of the Act, the Board is authorized to accept loans as authorized by its Member Jurisdictions;

WHEREAS, the Board has previously issued, and the Member Jurisdictions have previously approved, the issuance of the Board's $1,665,000 Public Improvement Note, Series 2006 (the Series 2006 Note) for the purpose of refinancing certain existing indebtedness of the Board with proceeds derived from the issuance of variable rate demand revenue bonds by the Industrial Development Authority of the County of Stafford and the City of Stanton, Virginia (the Authority) pursuant to the Virginia Municipal League/Virginia Association of Counties Commercial Paper Program, Series 2005A (the VML/VACo Commercial Paper Program);

WHEREAS, the Board has approved, subject to the approval of the Member Jurisdictions, the borrowing of additional moneys under the VML/VACo Commercial Paper Program in an amount not to exceed $290,000 (the Additional Loan) for the purpose of acquiring and improving the Altavista Group Home, the Additional Loan to be made under the same terms and conditions as the Series 2006 Note as summarized at the end of Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED:
1. The Appomattox County Board of Supervisors (the "Locality") consents to the making of the Additional Loan and the execution and delivery of the documents and

instruments related thereto in order to finance the acquisition and improvement of the Altavista Group Home and to pay related costs and expenses, upon terms and conditions as heretofore approved by the Board in its approving resolution with respect to the Additional Loan.

2. Each duly authorized officer of the Locality is hereby authorized to execute and deliver such additional instruments or to take such additional action as may be reasonably necessary to effectuate the purposes and intent of this resolution and the issuance of the Additional Loan by the Board. Under no circumstances, however, shall the payment of debt service on the Additional Loan constitute a general obligation indebtedness or a pledge of the full faith and credit or taxing power of any of the Member Jurisdictions.

3. This resolution shall take effect immediately.

CERTIFICATE

The undersigned Clerk of the Board of Supervisors of Appomattox County, Virginia, hereby certifies that the foregoing is a true, correct and complete copy of a resolution adopted by a majority of the members of the Board of Supervisors present and voting at a meeting duly called and held on August 18, 2008, and that such resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof. A summary of the members present or absent at such meeting, and the recorded vote with respect to the foregoing resolution, is set forth below:

			VOTING		
MEMBER NAME	PRESENT	ABSENT	YES	NO	ABSTAINING
William H. Craft, Chairman	x		x		
Thomas H. Conrad, Vice Chairman	x		x		
Samuel E. Carter	x		x		
Russell H. Moore	x		x		
Gary W. Tanner	x		x		

WITNESS my signature and the seal of Appomattox County, Virginia, this 18th day of August, 2008

DESCRIPTION OF THE LOAN

(1) Original Loan Commencement Date: June 8, 2006
Loan Maturity Date: July 1, 2021

(2) Names and addresses of Loan Participants:

Borrower	Bank
Central Virginia Community Services Board 2241 Langhorne Road Lynchburg, Virginia 24501	Bank of America, N.A. Commercial Banking VA2-300-18-02

Attention: Executive Director

1111 East Main Street
Richmond, Virginia 23219
Attention: John R. Dietrich,
Vice President

(3) Loan Amount and Interest Rate:

(a)	Maximum Amount Approved by Borrower:	$1,665,000
(b)	Principal Amount issued on original Loan Commencement Date:	$1,665,000
(c)	Outstanding principal balance of original Loan	$1,365,000
(d)	Principal Amount of Additional Loan approved by Program Administrator and the Bank:	$ 290,000

(e) Interest Rate – A variable rate based on a term not exceeding 270 days; the current term being approximately 30 days; and the current interest rate being 1.65%. The average interest rate for the previous 12 monthly remarketing periods ending June 26, 2008, was 2.68%.

(4) Description of the Project:

The Project includes the refinancing of certain existing indebtedness of the Borrower, together with related costs and expenses, and with respect to the Additional Loan, the acquisition and improvement of the Altavista Group Home.

(5) Letter of Credit Commitment:

(a) Letter of Credit Requirement:

Letter of Credit Requirement	Effective on Additional Loan Commencement Date	Total
Principal	$1,655,000	$1,655,000
Interest (calculated for 35 days at Maximum Rate of 10%, based on 360 day year)	$ 16,091	$ 16,091
TOTAL		$1,671,091

(b) Commitment Expiration Date: May 31, 2009, as it may be extended by the Bank in its sole discretion.

(c) Annual Letter of Credit Fee (expressed as a percentage of the Letter of Credit Requirement as of the date of each calculation): 85 basis points (0.85%), The Annual Letter of Credit Fee shall be calculated on the basis of a 360-day year and the actual number of days elapsed.

(d) Payment of Letter of Credit Fee: Monthly in arrears.

(e) Amendments to the Letter of Credit: Changes to the Letter of Credit as a result of modifications in the Schedule of Advances, changes in the Loan Maturity Date or other

actions taken by the Borrower may require amendments to the Letter of Credit, which shall be made at the Borrower's expense. Notwithstanding the foregoing, the Borrower is entitled to repay its Loan in full at no additional expense to the Borrower.

(6) Costs of Issuance:

Costs of Issuance payable on Additional Loan Commencement Date shall not exceed $10,000

(7) Security Instruments:

Credit Line Deed of Trust dated as of June 1, 2006 executed and delivered by the Borrower with respect to the real and personal property located at 2235 Landover Place and 2241 Langhorne Road in Lynchburg, Virginia, together with the Altavista Group Home at 101 Avoca Lane.

(8) Estimated Periodic Principal Redemption Schedule:*

Date	Amount
December 1, 2008	$ 65,000
June 1, 2009	65,000
December 1, 2009	65,000
June 1, 2010	65,000
December 1, 2010	65,000
June 1, 2011	65,000
December 1, 2011	65,000
June 1, 2013	65,000
December 1, 2013	65,000
June 1, 2014	65,000
December 1, 2014	65,000
June 1, 2015	65,000
December 1, 2015	65,000
June 1, 2016	65,000
December 1, 2016	65,000
June 1, 2017	65,000
December 1, 2017	65,000
June 1, 2018	65,000
December 1, 2018	65,000
June 1, 2019	65,000
December 1, 2019	80,000
June 1, 2020	80,000
December 1, 2020	80,000
June 1, 2021	115,000

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* Preliminary, subject to change

Mr. Carter made a motion to adopt the Resolution of the Appomattox County Board of Supervisors approving the issuance of debt by the Virginia Community Services Board and related matters as submitted. Mr. Tanner seconded Mr. Carter's motion. Chairman

Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #3 – Planning Commission Appointment from Falling River District. Mr. Conrad stated that he had one person who had expressed an interest in serving in this capacity which was John Harrison.

Mr. Carter stated that he knew of someone who was interested in serving, but was waiting for an advertisement to run in the newspaper.

Chairman Craft presented Administrative Item #4 – Job Description for Director of Economic Development and Tourism.

Mr. Carter stated that he liked the job description, however he is concerned having tourism incorporated, and feels that we need to drop Tourism from this description.

Mr. Craft stated that he thought this position would include writing grants, but has found that Region 2000 does most of the grant writing for the County.

Mr. Carter stated that the economic development coordinator would be expected to assist and write some grants.

Mr. Craft stated that he has had several meetings with Bryan David and the push is for already owned businesses to expand.

Mr. Carter stated that now is the time for the County to step forward and get things moving, Mr. Carter pointed out what Prince Edward County has done as being a prime example.

Mr. Conrad stated that maybe we need to consider this during next year's budget season as we do not have the funding at this time for this position.

Mr. Carter stated that he was looking at this to take place in this budget year and if we need to go and borrow money, now is the time . Mr. Carter stated that this person needs to be put on staff as soon as possible. Mr. Carter pointed out that it is already going to be several months even now before we can get this person hired.

Mr. Craft stated that it is going to take at least a half million dollars to get this position in place.

Mr. Carter stated that our industrial park has been here for ten years and now is the time to get this park up and going to help enhance our tax base and help the citizens of this county.

Mr. Craft stated that maybe we should speak with our financial advisor as it seems that we are already going to run out of money this year.

Mr. Conrad stated that he agreed with Mr. Carter but he is also very reluctant to go and borrow money to pay a salary. Mr. Conrad stated that he would like to set this aside and work on during the upcoming budget year. Mr. Conrad stated that he is not in favor of borrowing money to hire someone.

Mr. Carter stated that he wants to bring someone on board and let them explore and report back to the board with opportunities that are out there so that we can move forward.

Mr. Conrad stated that he is reluctant in bringing someone into a position without having the money to operate the program and also with the State cutting funds as they are.

Mr. Carter asked Mrs. Ferguson if the County has money in the budget to produce a salary for this position if the annual salary was in the neighborhood of $40,000?

Mrs. Ferguson stated that there is money in the budget for a $40,000 thousand dollar salary with benefits, but there is not enough money in this budget to accommodate a $60,000 dollar position with benefits. Mrs. Ferguson stated that the budget would have to be supplemented if this was approved.

Ms. Ferguson stated that it would be her guess that an average salary for a economic director for a county this size would be in the range of $40,000 – $65,000 thousand. Mrs. Ferguson also stated that most localities do combine the economic development coordinator and tourism positions.

Mr. Conrad stated that he would like the Board to take a closer look at the budget before making any decision.

Mr. Carter stated that he is not proposing that the Board make any decision tonight.

Ms. Ferguson stated that she needed specific instructions on whether the Board wished her to alter this description by removing Tourism and also if the Board's wishes are for her to set the salary range at $40,000 - $60,000 or would the Board prefer her research neighboring counties and their salary scale for like positions and then bring back to the Board for approval.

Mr. Carter and Mr. Conrad stated that they would like to delete tourism from this job position.

Mr. Tanner stated that he agreed with the other Board members, but the Board needed to proceed with caution and not make any decision tonight. Mr. Tanner stated that he would hate to see the County borrow money for this position.

Chairman Craft stated that it was the consensus of the Board to remove tourism from the job description and have the County Administrator gather more information on the salary scale before bringing back to the Board for approval.

Chairman Craft next presented Administrative Item #4A – Declaration of disaster due to the lack of seasonal rainfall and high summer temperatures.

Mr. Conrad stated that what the Board would be doing tonight is drawing up a declaration and sending it to the governor.

Ms. Ferguson stated that Mr. Bruce Jones was working on getting the final figures together, but he did ask the board to make this declaration tonight and he would finalize the figures for the next Board meeting.

Mr. Carter made a motion to adopt a resolution requesting an agricultural disaster for the County due to the lack of seasonal rainfall and high summer temperatures. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for discussion, hearing none he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Consent Agenda and called for discussion.

CONSENT AGENDA
Approval of Bills
SUPPLEMENTAL APPROPRIATIONS
Library

Supplement by consent and appropriate $2,727.00 to the following line items in the Library budget for donations received, book replacement fees and book sales:

7301-5401	Office Supplies	$ 423.80
7301-5411	Books	2,229.15
7301-5414	Pamplin Depot	74.05

Sheriff's Department

Supplement by consent and appropriate $3,499.77 to 3102-5408 Vehicle Power Equipment/Supplies for insurance payment received for 2005 Ford repair.

Supplement by consent and appropriate $60.24 to 3301-5407 Repairs/Maintenance for a refund received by J.E. Jamerson.

Also, supplement by consent and appropriate $1,399.00 to following line items for monies received for reimbursement from the DCJS Byrne Jag Grant:

3102-1002	Overtime	$ 1,291.98
3102-2001	FICA	107.02

Mr. Tanner made a motion to accept the Consent Agenda as presented. Mr. Conrad seconded Mr. Tanner's motion. Hearing no further discussion Chairman Craft called for

roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Informational items and hearing no discussion adjourned the meeting in order to hold a joint public hearing with the Planning Commission.

At 7:10 p.m. Chairman Craft reconvened the regular scheduled meeting and called for supervisor concerns.

Mr. Tanner stated that due to drought conditions, it would soon be severe fire conditions and asked Mr. Marvin Hamlett if he would include an article in the Times Virginian this coming week cautioning citizens to please be careful.

Ms. Ferguson stated that she would also ask Mr. Wingfield to check with the Forestry department and report conditions to the Board at next meeting.

Mr. Carter stated that he would like to congratulate the Lions Club on a great community event and stated that he had heard all good reports.

Mr. Craft stated that he attended the meeting last week on land conservation and he does not feel the county will have any problems with this.

Chairman Craft called for other discussion that the Board may have.

Mr. Overstreet stated that he wanted to update the Board on the reassessment appeal regarding Mr. McClenny. Mr. Overstreet stated that Mr. McClenny is going to pursue his appeal of his reassessment and he would be scheduling a date with Judge Blanton and once that is done he would report back to the Board. Mr. Overstreet also stated that an agreement had been worked out with Mr. Terry and it would be settled though a court order.

Mr. Carter questioned if a replacement had been hired for the CSA Position. Ms. Ferguson stated that interviews had been completed and she would be interviewing one of the applicants again this week. Ms. Ferguson stated that she would keep the Board aware when this position is filled.

Chairman Craft presented the upcoming meetings.

Chairman Craft called for other discussion the Board may have. Hearing none, Mr. Tanner made a motion to adjourn the meeting at 7:16 p.m. Mr. Conrad seconded Mr. Tanner's motion. The meeting adjourned at 7:16 p.m.

William H. Craft, Chairman

On Monday, August 18, 2008 at 7:00 p.m. the Appomattox County Board of Supervisors held a joint public hearing with the Planning Commission at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Planning Commission
George Almond
Steve Conner
Susan Hudson
Mitchell Marvin
Kevin O'Brien (arrived late)
Bryan Baines
Bryan Morris
Peter Zdgiebloski
Calvin Tanner
Johnnie Roark – Planner

Also Present: Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Craft called the public hearing to order at 7:00 p.m.

Mr. Almond – Chairman of Planning Commission called the Planning Commission to order at 7:03 p.m.

Chairman Craft introduced the newest member of the Planning Commission Mr. Peter Zdgiebloski.

Chairman Craft then turned the public hearing over to Mr. Johnnie Roark, Planner to give a brief presentation of the first petition to be heard tonight.

Mr. Roark explained that the first petition to be heard is Petition CUP08005 – Lawson Family Trust/Cornerstone Christian Academy.

Mr. Roark explained that Cornerstone Christian Academy is requesting a conditional use permit for property located on the north side of Richmond Highway between Police Tower Road and

Peaceful Meadow Road. Mr. Roark explained that the petitioner is requesting a conditional use permit to locate an off-premise advertising sign on their property. The property is zoned Industrial District and is Tax Map Number 62-A-11 and is approximately 5.99 acres in size. Chairman Craft called for the petitioner to come forward and state their name and address.

Mr. Roark explained that Mr. Kevin O'Brien is the agent for the petitioner and he is not present at the meeting.

Chairman Craft called for citizens who would like to speak against this petition to come forward state their name and address. Having no one to speak if favor or against this petition, Chairman Craft closed the hearing on petition CUP08005.

Mr. Roark next presented Petition RZ08003 – Mini Ball Lane Area.

Mr. Roark explained that multiple applicants are requesting to rezone multiple properties off Mini Ball Lane and Chandlers Lane. Mr. Roark explained that the applicants are requesting to rezone the properties from R-1 to A-1. The properties are identified as Tax Map Numbers 41(5)2, 2A, 5A, & 5C with all four parcels totaling approximately 7.94 acres.

Mr. Roark stated that this is a combined application and the individuals involved are Ms. Stella Ackers 2.96 acres, Bernice Thomas 1.99 acres, Patricia Chandler 1.44 acres, Brenda Coles 1.55 acres, Ms. Candice Lee has been assigned as the agent for this application.

Chairman Craft called on the agent of this petition to come forward state their name and address and explained they would have three minutes to address the Board.

Ms. Candice Lee came forward and stated her address as 566 Mini Ball Lane.

Ms. Lee stated that the reason she wanted this property rezoned from R-1 – to A-1 as it would allow her to put a double wide mobile home behind her mother's existing mobile home.

Chairman Craft called for other citizens who are in favor of this petition to come forward and address the Board.

Ms. Patricia Chandler came up and stated her address as 474 Mini Ball Lane and then stated that she is in favor of this petition being passed due to this is not a residential area, it is more of an agricultural area.

Ms. Brenda Coles next came forward and stated her address as 202 Chandler Lane. Ms. Coles stated that she is in favor of this petition so that she can continue to own her livestock and keep them on her property.

Ms. Stella Acker came forward and stated her address as 588 Mini Ball Lane. Ms. Acker stated that she is in favor of this petition so that her granddaughter would be able to put a double wide mobile home on her property.

Mr. Andrew Mundy came forward and stated his address as 202 Chandler Lane. Mr. Mundy stated that he is in favor of this petition because his property was bought so that he and his brother could get farming experience and he wanted it to stay that way.

Chairman Craft next called for citizens who wished to speak against this petition.

Ms. Paige Lovings came forward and gave her address as 377 Chandlers Lane. Ms. Lovings stated that she was not really against this petition, but she did have some questions about the changes and would like to get them answered.

Mr. Neal Chandler came forward and gave his address as 185 Chandlers Lane. Mr. Chandler stated that it was already sheep and goats on these properties before the zoning has been changed and he feels it is going to bring the value of his home down.

Chairman Craft called for other citizens who would like to speak against this petition. Hearing no other comments, Chairman Craft explained that the Planning Commission would now meet in the next room and the meeting will be open to anyone who wished to attend.

Chairman Craft closed the public hearing at 7:10 p.m.

William H. Craft, Chairman

On Tuesday, September 2, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held its regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Johnnie Roark - Planner Vicky Phelps – Administrative Assistant

Chairman Craft called the regular scheduled meeting to order at 6:30 p.m. and called on Mr. Carter to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft welcomed everyone to the meeting and then called for setting of the agenda.

Having no changes to the Agenda Ms. Ferguson stated that Mr. Overstreet, County Attorney has a correction to the resolution on page one of the Board book. Mr. Overstreet stated the code section needed to read 58.1-3524 instead of 58.1-35924.

Having no one sign up to speak during the Citizen Public Comment Period, Chairman Craft asked Ms. Janet Belter if she would like to appear before the Board earlier than the scheduled 7:00.

Ms. Belter stated that she really did not have anything to bring before the Board other than she would like to answer any questions the Board may have at this time on the resolution for Personal Property Tax Relief for eligible personal use vehicles for 2008.

RESOLUTION

BE IT RESOLVED THAT in accordance with the requirements set forth in section 58.1-3524 (C) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in item 503.E (Personal Property Tax Relief Program) of Chapter 951 if the 2005 Acts of Assembly any qualifying vehicle sitused within the County commencing January 1, 2008, shall receive personal property tax relief in the following manner:

- Personal use vehicle at $1,000 (assessed value of $500) or less will be eligible for 100% tax relief;
- Personal use vehicles valued at $1,001 to $20,000 (assessed value of $501 - $10,000) will be eligible for 44.20% of tax relief;
- Personal use vehicles valued at $20,001 (assessed value of $10,001) or more shall only receive 44.20% tax relief on the first $20,000 of value; and
- All other vehicles which do not meet the definition of "qualifying" (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.
- In accordance with item 503.D1, the entitlement to personal property tax relief to qualifying vehicles for tax year 2005 and all prior tax years shall expire on September 1, 2006. Supplemental assessments for tax years 2005 and prior that are made on or after September 1, 2006 shall be deemed "non-qualifying" for purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the tax assessable.

Ms. Belter stated that the only changes would be in the percentage which is 44 percent this year, where last year the percentage was 48 percent.

Mr. Overstreet stated that a more comprehensive resolution was done when this Program first started and each year we do the shorter resolution there after.

Mr. Conrad stated that he is confused on the last bullet of this resolution and asked if Mr. Overstreet or Ms. Belter could explain this to him. Mr. Conrad stated that the date of 2005 was confusing.

Ms. Belter gave a brief explanation to the Board of the term non-qualifying.

Chairman Craft called for further discussion.

Mr. Tanner made a motion to approve the (PPTRA) Resolution with the correction as noted by J.G. Overstreet. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #1- Memorandum of Understanding with the Virginia Cooperative Extension (in Board file) and explained that this MOU was last approved by the Board of Supervisors in 1997.

Mr. Conrad questioned if the percentages are what qualify you for the tax relief.

Ms. Ferguson stated that it was her understanding that you would qualify with any loss amount.

Mr. Carter questioned if the amount presented was correct. Ms. Ferguson stated that the amount that has been provided is correct.

Chairman Craft called for further discussion or if the Board felt any changes needed to be made to the MOU.

Mr. Carter made a motion to adopt the MOU as submitted by the Virginia Cooperative Extension. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Planning Commission Recommendations and called for any discussion the Board may have.

Chairman Craft presented the recommendation from the Planning Commission on Petition RZ08003-Mini Ball Lane

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the petition to rezone property (TM# 41-5-2, 2A, 5A, & 5C) from R-1 to A-1 as submitted.

Mr. Tanner made a motion to approve Petition RZ08003 – Mini Ball Lane. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the recommendation from the Planning Commission on Petition CUP08005-Lawson Family Trust/Cornerstone Christian Academy

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the petition for a conditional use permit to locate an off-premise sign on property identified as Tax Map # 63-A-11 with the following conditions:

1. The sign shall be removed in the event that another business locates in the existing industrial building on this property and said business desires to erect a sign.
2. The sign shall be removed upon completion of the planned road improvements (widening) of Route 613 (Police Tower Road).
3. The sign shall be limited to a maximum of thirty-two (32) square feet.
4. Temporary sign structures shall be allowed seasonally for a maximum of two (2) periods per year for not more than forty-five (45) days each.
5. The fundraising sign attached to the side of the main sign shall be removed within twelve (12) months of the conditional use permit approval.

Mr. Conrad also stated that this sign was installed before approval of this petition. Mr. Conrad asked Mr. Roark, Planner to advise applicants in the future to not proceed with any action until approved.

Mr. Conrad made a motion to approve Petition CUP08005- Lawson Family Trust/Corner Stone Christian Academy. Mr. Carter seconded Mr. Conrad's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #3 – Request for Approval of Animal Rabies Clinic and called for discussion.

Ms. Ferguson explained that it is necessary for the Board to approve this clinic according to the State code before the clinic can be held.

Ms. Ferguson stated that these types of rabies clinics have been approved in the past.

Mr. Tanner stated that he feels rabies of clinics are necessary due to Appomattox County having several animals test positive for rabies in the past several years.

Mr. Tanner made a motion to approve the request for a rabies clinic to be held by the Blue Gray Hunt Club on September 18, 2008. Mr. Moore seconded Mr. Tanner's motion. Chairman Craft called for further discussion, hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #4 – Position Description for Director of Economic Development and called for discussion.

Chairman Craft explained that the only changes made to this job description from the last meeting would be removal of Tourism from the description and also adding the salary range.

Mr. Carter questioned if three year's experience would be adequate for this position. Mr. Carter stated that the County needed someone with experience coming into this job and being ready to begin without much training.

Mrs. Ferguson asked Mr. Carter what he felt would be an adequate amount of experience needed for this position.

Mr. Carter stated that he was not sure, and it could be that the three years would be sufficient. Mr. Carter stated that he was just bringing this before the Board to see what they thought.

Ms. Ferguson stated that the amount of experience needed could very well depend on the applicant that is hired.

Mr. Carter then stated to leave the experience at three years.

Mr. Carter then voiced a concern on the salary scale.

Ms. Ferguson stated that the salary scale for the entire County is below what it should be. Mr. Carter stated that he was thinking the salary scale should range from $55,000 – $75,000 dollars.

Mr. Conrad stated that in what the Board is asking in experience and degrees most applicants would be looking for a salary above what we are setting.

Mr. Carter stated that the scale should begin at a minimum of $50,000 dollars.

Ms. Ferguson questioned if the Board was in consensus on setting the salary range for the Economic Development Coordinator in the range of $50,000 – $75,000. Ms. Ferguson stated that she is not sure what the pay grade would be but she would look into this. Ms. Ferguson asked if was also the consensus of the Board to leave the experience at three years.

Ms. Ferguson stated that she would make these corrections to the job description and bring back to the Board at the next meeting for approval.

Chairman Craft next presented Administrative Item #5 – Agreement with School Board for use of Facilities and called for discussion that the Board may have.

This Agreement made and entered into this the 2nd day of September, 2008, by and between the County of Appomattox, Virginia, by and through its Department of Parks and Recreation ("ACPR" herein) and the Appomattox County Public Schools ("ACPS" herein).

Whereas, the Appomattox County Community Park trail areas are owned and utilized by Appomattox County through ACPR; and

Whereas, ACPS wishes to use said trails for practices and meets by it cross- country team; and

Whereas, the parties hereto have agreed to said use under the terms and conditions set forth herein.

That for and in consideration of the terms herein, and the benefit to the citizens of Appomattox County, Virginia, the parties hereto do covenant and agree, as follows:

1. ACPR agrees to allow ACPS to use its trail areas located at the Appomattox Community Park for practices and meets by its cross-country team during the 2008 Fall sports season.

2. ACPS understands that said trail areas are not maintained and it assumes the risk of said use. ACPR makes no warranties nor representations as to the condition or suitability of said trails for the purpose of the intended use. ACPS has examined the trail areas and accepts them in their current condition "as is".

3. ACPR shall not be liable for any injury to person or damage to property as s result of the use of said trail areas, unless caused by its own negligence.

4. ACPS will remove any trash or debris deposited within said trail areas during its use immediately thereafter.

5. ACPS will abide by the Appomattox County Facility Rules.

6. To the extent allowed by law ACPS shall indemnify and hold harmless ACPR against and from any and all claims, demands, causes of action, actions, suits, proceedings, damages, costs, or liabilities of every kind and nature whatsoever, including but not limited to, damages for injury or death or damage to person or property, and regardless of the merit of any of the same, against all liability to others, and against any loss, cost, and expenses resulting or arising out of the same, including the attorney's fees, accounting fees, per diem expenses, traveling and transportation expenses or other cost or expenses arising out of or pertaining to the performance of the Agreement, unless resulting from the negligence of the ACPR.

Witness the following signatures and seals:

Mr. Carter made a motion to approve the agreement between Appomattox County Public Schools and Parks and Recreation for use of the trails at the Community Park.

Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for other discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the Consent Agenda and called for discussion.

CONSENT AGENDA:
Approval of Minutes
Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:
Sheriff's Department
Supplement by consent and appropriate $404.16 to the following lines in the Sheriff's budget for reimbursement received for officer working overtime with the Regional Task Force:

3102-1002 Overtime	$373.24
3102-2001 FICA	30.92

LINE ITEM TRANSFER:
Building Official
Approve by consent the following transfer:
From 3401-5203 Telephone $200.00 to 3401-5210 Postage.

Mr. Carter made a motion to approve the Consent Agenda as submitted. Mr. Moore seconded Mr. Carter's motion. Hearing no further discussion Chairman Craft called for a Roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Information Items and called for discussion.

Mr. Conrad questioned if the State Board of Elections were looking for more volunteers or are they looking for people to come and work for pay?

Ms. Ferguson stated that a request had been made during budget for additional personnel and if they needed more personnel they would have the funds to pay them.

Ms. Ferguson stated that she had spoken with Mr. Fred Underwood and told him if there was a problem with needing staff to let her know and they could possibly use some County personnel who would be willing to help in this capacity.

Ms. Ferguson stated that the Central Absentee voting precinct had been approved.

Chairman Craft called for Supervisor Concerns.

Mr. Tanner made the Board aware of a Region 2000 seasonal worker who was mowing grass on the Concord Turnpike on the shoulder of the road and a vehicle veered off the

road and hit this employee head on and she was thrown from the mower and had several broken bones. Mr. Tanner stated that the drive of the vehicle was charged with reckless driving. Mr. Tanner stated that he just wanted to make the Board aware of this incident.

Mr. Carter asked Ms. Ferguson if the CSA position had been filled.

Ms. Ferguson stated that she is still in the process of getting someone hired in this position.

Mr. Conrad asked Ms. Ferguson if an advertisement had run in the paper for the vacant position on the planning commission.

Ms. Ferguson stated that it had been advertised and would be re-advertised again this week.

Chairman Craft reminded the Board of the upcoming meetings.

UPCOMING MEETINGS
September 11, 2008
Service of Remembrance
For the victims of September 11, 2001
9:00 a.m. – 11:00 a.m.
Courthouse Square
Sponsored by American Legion Post 104

September 15, 2008
Regular Meeting @6:30 P.M.
Appomattox Community Center

October 6, 2008
Regular Meeting @6:30 P.M.
Appomattox County Offices Conference Room

Ms. Ferguson stated that she is going to try to put any special events or activities that she feels the Board may need to be aware of or attend in the area with the upcoming meetings.

Chairman Craft called for further discussion that the Board may have, hearing none, Mr. Conrad made a motion to adjourn the meeting. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 6:58 P.M.

W. A. Craft

William H. Craft, Chairman

On Monday, September 15, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held its regular scheduled meeting at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the regular scheduled meeting to order at 6:30 p.m. and called on Mr. Conrad to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft called for the setting of the Agenda, Ms. Ferguson added Administrative Item #7A- Declaration of Local Emergency Resolution and Declaration of the Local Emergency termination as of 6:00 p.m. today.

Ms. Ferguson also added Administrative Item #7B- Appointment to the Planning Commission. Mr. Carter stated that he would like to add Item #7C- a letter/resolution of appreciation to the Emergency Responders and citizens who responded to the local emergency.

Chairman Craft commended the County Administrator and County Staff for the excellent response to the local emergency.

Mr. Tanner stated also it was amazing how people come together during an incident like this and this County did come together. Mr. Tanner stated that he was so thankful that there were no fatalities.

Mr. Conrad stated that he also was on the site of this incident from 8:30 a.m. to 4:30 p.m. and things went smoothly and was very well coordinated, everyone worked well together. Mr. Conrad stated that accolades go out to the entire County.

Mr. Tanner stated that he understands that some churches are getting money and things together for those who lost their homes and he feels the entire County has responded in a very professional and caring way.

Mr. Craft also stated that Ricky Martin opened his business and allowed it to be used as a staging area for this incident and it was very much appreciated.

Chairman Craft next called for citizen public comments.

Hearing no public comment, Chairman Craft presented Administrative Item#1 – Green Way Alliance.

Chairman Craft called for discussion on this item.

Mr. Tanner stated that he has someone from his district that is interested in serving in this capacity and once this has been advertised he will have them complete an application.

Chairman Craft next presented Administrative Item #2 – Revision to the Appomattox County Community Center Rental Policy.

Chairman Craft questioned if we are currently having problems with this. Ms. Ferguson stated that we are not having problems, but we would like to avoid any problems that may occur.

Mr. Conrad questioned if this was the only change to the policy and Ms. Ferguson stated that this is the only change that was being made.

Mr. Carter made a motion to adopt the revisions to the Appomattox County Community Center Rental Policy as submitted by Anne Dixon, Director Recreation and Tourism. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft then called for further discussion. Hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #3 – Musical Entertainment Festival Permit submitted by the Redhouse Volunteer Fire Department requesting permission to hold a musical event on September 27, 2008 and they are also requesting that the Board waive the $5,000.00 bond.

Chairman Craft called for any discussion that the Board may have.

Mr. Tanner made a motion to approve the request for the Redhouse Volunteer Fire Department to hold a musical or entertainment festival on September 27, 2008 and also to waive the bond fee of $5,000.00.

Mr. Conrad seconded Mr. Tanner's motion.

Chairman Craft called for further discussion. Hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #4 – Letter from Piedmont Alcohol Safety Action Program requesting the Board to appoint someone to replace Mr. Robert Carter, Jr. for a three year term.

Chairman Craft stated that he has served for the past fourteen years on the same type program from the Lynchburg area and does not understand why the County participates with two of the same organizations.

Chairman Craft stated that something needs to be worked out, but he has also been told that Judge Woodson wanted to send everyone to Farmville unless they request to go elsewhere.

Mr. Conrad stated that the Board needs to keep in mind that the Lynchburg organization is located where the Regional Jail is going to be and it will have a lot of activity.

Ms. Ferguson stated that there has been a lot of controversy over this and we have been battling this over the past several years. Ms. Ferguson stated that she has done a lot of research on this and spoke with Tony Cassell and was told by him that Appomattox County did not need to make any changes until the Regional Jail was opened and then the County would have to make a decision.

Chairman Craft stated that it was the consensus of the Board to advertise this position to see if we have any citizens with an interest in serving in this capacity.

Chairman Craft next presented Administrative Item#5 – Director of Economic Development. Chairman Craft explained that the job description being presented reflects the changes made as stated in the last Board meeting.

Mr. Carter stated that he feels that the next stage for the Board would be to pass this job description to the EDA for their review.

Ms. Ferguson stated that the job description has been discussed with the EDA, but they have not been given the opportunity to review the description.

Mr. Conrad stated that the Board needs to keep in mind that with the present budget, there is no way the Board can fill this position. Mr. Conrad stated that borrowing money had been discussed, but he understands that you cannot borrow money on something unless your next fiscal year budget directly reflects this incoming revenue.

Mr. Conrad questioned Mr. Overstreet if he was correct on this understanding.

Mr. Overstreet stated that Counties are not allowed to borrow money and pay it over another fiscal year; you would have to repay it this year. Mr. Overstreet stated that there is a statue that allows the County to borrow for short term expenses when you have anticipated incoming revenue.

Mr. Carter stated that he does not feel that either of these routes is necessary, due to it already being September and having to advertise which will take approximately two months and then having to review the applicants which will take another two months, we will be in the new budget year.

Mr. Carter stated that if we sit here and do nothing another year will have elapsed and we will be missing out on what is available.

Mr. Carter stated that all of our surrounding counties have improved their economic development by an economic development coordinator and he feels that it is prudent that the Board move forward with this position.

Mr. Carter stated that the $200,000 statement that was announced to the public as being needed for this position is not a true statement.

Mr. Conrad stated that he does not have a problem with the EDA reviewing this, but he is for setting this up for the next fiscal year budget.

Mr. Carter stated that at this point the money aspect does not come into play, and he does not feel that we can wait another year to get out there and try to find someone to get us going in the right direction.

Mr. Carter stated that the water line and this position play hand in hand.

Mr. Craft stated that the money may not be an issue this year, but it may be next year and what will we do if we do not have the money to pay this position next year, terminate the position?

Mr. Carter stated no, we would not terminate the position because we can raise taxes and the long term of this will pay back each and every citizen which is only common economics.

Mr. Craft stated that he had reliable information that other Counties pay between $200,000 - $250,000 for this position because they cannot work by themselves.

Mr. Carter stated that we do not need all of this as of yet, we just need to get someone in here to get their feet wet and get started.

Mr. Craft stated that he is not in favor of doing anything until next budget year.

Mr. Tanner stated that he does not have a problem with letting the EDA review this job description and making any changes that they see is needed, however he does not agree in proceeding with hiring a person and giving a salary with no set budget.

Mr. Carter stated that we have the money in the budget this year for this position.

Mr. Tanner stated that he is not in favor of having to raise taxes substantially for this new position.

Mr. Carter stated that the Board has already taken care of having to raise taxes, which he feels is a done deal, so having to add another two or three cents he does not have a problem with since this is for the economic development of this county.

Mr. Craft stated that it was the consensus of the Board to send the economic development coordinator job description to the EDA for review and then bring it back to the Board of discussion.

Chairman Craft recessed the meeting at 7:00 p.m. to allow for a scheduled joint public hearing with the Planning Commission.

Chairman Craft reconvened the regular scheduled meeting at 7:13 p.m.

Chairman Craft called Ms. Kelly Hitchcock to come before the Board and present the Greenway Master Plan for Appomattox County.

Ms. Hitchcock first apologized for arriving late.

Ms. Hitchcock stated that she was here to present the Greenway Master Plan for Appomattox and she would begin by giving a brief background on this plan.

Ms. Hitchcock stated that this plan was developed as a direct action from the Appomattox Heritage and Trail Vision Connectivity and was then adopted by the Board. Ms. Hitchcock stated that Appomattox was fortunate to be working with the National Parks Service. The National Park Service simultaneously had created an agreement with American Society of Landscape Architects and through that agreement the County was able to reap some pro-bono work from a Richmond company called Design Forms and they developed this plan and the pro-bono work was valued at approximately $12,500 of assistance that was provided.

Ms. Hitchcock called for any questions on how this plan was developed.

Mr. Carter stated that he feels this is a master piece. Mr. Carter also stated that the language used in naming of the Carver Price School should read as Carver Price Educational Center.

Mr. Carter also questioned if on page 27 the Greenway Master Plan is speaking of only a bike trail. Ms. Hitchcock explained that is does not necessarily mean that it has to be a VDOT designated bike lane, it could be a share the road designation , but this could be the decision of the Town or County.

Ms. Hitchcock stated that this plan is just to provide you a summary of what was observed.

Mr. Tanner stated that he thinks this a very well done plan.

Mr. Conrad questioned if this plan needs to be adopted by the Board and if a similar plan will be taken to the Town?

Ms Hitchcock stated that once adopted by the Board it is an opportunity for VDOT when working on a road to automatically look at this plan and try to accommodate the bike trail.

Ms Hitchcock stated that in order for a portion of the County's VDOT funds to be utilized in this fashion the Board would have to adopt the master plan.

Ms. Hitchcock stated that last year she was here in November and gave the County a safety lieu application as a direct action of the visionary connectivity and the EDA provided an easement while the Board approved a resolution of support in November, so that application was awarded in the amount of $138,288 from VDOT and the Counties twenty percent match would be $34,572.

Ms. Hitchcock stated that the way the safety lieu rounds run there next application is due in November 2008 and she had talked with VDOT to see if the County needs to go ahead and apply for this. Ms. Hitchcock stated that she was told by VDOT that the County needs to go ahead and apply for these funds. She then explained that the phase II estimated funds are $629,000 to construct 1.6 miles on the ground. Applications are due in November and Mr. Roark and Ms. Hitchcock have met with Mr. Fred Kruschwitz and they are trying to fine tune those figures to see if an increase in the application amount is needed.

Ms. Hitchcock stated that if the County is awarded the funds applied for in the amount of $629,200 that there would be a $125,840, local match. Ms. Hitchcock stated that in kind services do apply towards the match.

Ms. Hitchcock called for any other questions. Hearing none; Chairman Craft thanked Ms. Hitchcock for her presentation.

Chairman Craft presented Administrative Item#6 – Historic Railroad Festival Parade and called for discussion. It was the consensus of the Board to walk in the Historic Railroad Festival Parade.

Chairman Craft next presented Administrative Item #7 – Committee Appointments to serve on a committee with the Town to discuss water line issues.

Mr. Carter stated that he would like to serve on this committee since the most of this is in his district.

Mr. Tanner also volunteered to serve on this committee.

Mr. Conrad stated that this is an important job and he is not sure how the Town is going to react to this, but we need to get this project done.

Mr. Carter stated that this is going to be a give and take for both the Board and the Town Council and it is going to be a huge task, but the future of this County relies upon this water line.

Mr. Tanner stated that we need to go into this as a win for both the Town and County. The Board discussed if the meetings of this committee would be held in closed session.

Mr. Overstreet stated that the Freedom of Information Act states that a meeting of this Board having more than two members discussing County business is considered a meeting and must be in open session. If two members of the Board are serving on a committee it represents a quorum of the Board and it too should keep all meetings in open session. There are some provisions that would allow you to enter into executive session.

Ms. Ferguson stated that if the two members of this committee feel that the County Attorney is needed Mr. Overstreet will attend.

Chairman Craft next presented Administrative Item #7A-Declaration of Emergency Resolution

RESOLUTION TO CONFIRM DECLARATION OF A LOCAL EMERGENCY

WHEREAS, Aileen T. Ferguson, Emergency Services Director, did declare in accordance with §44-146.21 of the Code of Virginia, 1950 as amended, a local emergency for Appomattox County due to a pipeline explosion at 7:30 a.m. on Sunday, September 14, 2008 and;

WHEREAS, the Board of Supervisors of the County of Appomattox, Virginia, does hereby confirm:

1. That due to the occurrence of this explosion, the County of Appomattox is facing a condition of extreme peril to the lives, safety and property of the residents of Appomattox County;
2. That a result of this extreme peril, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril;
3. That it is necessary to ratify the declaration of local emergency as declared on September 14, 2004 by the Emergency Services Director.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of the County of Appomattox, Virginia, that a local emergency now exists throughout the County of Appomattox; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this emergency the powers, functions, and duties of Emergency Services and the Emergency Services organization and function of the County of Appomattox shall be those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of the County of Appomattox in order to mitigate the effects of said emergency.

Ms. Ferguson read the Declaration of a Local Emergency Resolution to the Board for adoption. Mr. Tanner made a motion to adopt this Resolution as presented. Mr. Conrad seconded Mr. Tanner's motion, having no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Tanner made a motion to terminate the Local Declaration of Emergency as of 6:00 P.M. on Monday, September 19, 2008. Mr. Conrad seconded Mr. Tanner's motion. With no further discussion Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #7B- Appointment to the Planning Commission and called for discussion.

Mr. Conrad stated that we have two applications and one resume for this vacant position. Mr. Earl Dickerson, Mr. E. Hunter Marshall and Ms. Bonnie Swanson and also Mr. John Harrison who Mr. Conrad has previously spoken with about serving in this capacity before advertising.

Mr. Conrad made a motion to appoint Mr. Earl Dickerson to the Planning Commission for the Falling River District. Mr. Carter seconded Mr. Conrad's motion. Chairman Craft called for any further discussion. Hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft called on Mr. Carter to present Item#7C- Mr. Carter stated that he would like to see a letter of appreciation sent to all the Emergency Citizen Responders.

Ms. Ferguson stated that it was her intention to thank everyone who touched this event in anyway.

Ms. Ferguson stated that until things calm down some, this letter cannot be her priority at this time, however she feels that it is very important to be done, but at the same time she is a bit nervous in doing this due to possibly forgetting someone.

Ms. Ferguson explained that PHEMSA is in charge of the scene and has allowed us to release the police officers tonight. Ms. Ferguson stated that she is not sure when Route 26 is going to open, but she will provide more information at a later date.

Ms. Ferguson explained that Williams is having a meeting tonight with affected citizens and we did assist them today in trying to let the affected persons know about this meeting.

Ms. Ferguson stated that the County is doing all that is possible to help each and every citizen who has been displaced or affected by this local emergency.

Ms. Ferguson praised all the County staff for the response that was received during this tragedy and she feels that all the training that has been provided to these staff members has paid off.

Ms. Ferguson thanked the Board for their continued support during this time.

Chairman Craft next presented the Consent Agenda.

Approval of Minutes

Regular scheduled meeting of August 18, 2008
Joint Public Hearing with Planning Commission August 18, 2008

Regular scheduled meeting of September 2, 2008
Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:
Circuit Court Clerk: supplement by consent and appropriate $2960.00 to 2106-3010 Data Processing in the Clerk's budget for funds received from the State Library Grant.

Sheriff's Department: supplement by consent and appropriate $8.00 to 3102-3013 OSHA Mandates for reimbursement received for drug testing of an individual that is on home electronic monitoring.

Landfill Litter Grant: supplement by consent and appropriate $1001.00 to 4206-5413 Recycling & Litter Prevention for additional funds received.

Library: supplement by consent and appropriate $993.71 to the following line items for donations received, book replacement fees and book sales:

7301-5401 Office Supplies	$440.05
7301-5411 Books	104.36
7301-5414 Pamplin Depot	449.30

Department of Social Services: supplement by consent and appropriate $185,900.00 to Appomattox County Department of Social Services (Fund 015) for additional funds received from the Federal Government. There are no local dollars requested.

Mr. Conrad made a motion to approve the Consent Agenda as presented. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented the informational items and called for discussion.

Having no discussion on the Informational Items, Chairman Craft presented the upcoming meetings.

UPCOMING MEETINGS
Monday, October 6, 2008
Regular Scheduled Meeting
6:30 P.M.
Appomattox Administrator's Office Conference Room

Monday, October 20, 2008
Regular Scheduled Meeting
6:30 P.M.
Appomattox Community Center

Thursday, October 23, 2008
Virginia's Region 2000 Local Government Council
Regional Dinner

City of Lynchburg
Information Technology Center
3550 Young Place, Lynchburg
6:00 P.M – Reception
7:00 P.M. - Dinner

Monday, October 27, 2008
Joint Meeting with Appomattox County School Board
7:00 P.M.
School Board Conference Room

Chairman Craft called for Supervisor Concerns, hearing no concerns; Mr. Tanner made a motion to adjourn the meeting. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 8:05p.m.

W. H. Craft
William H. Craft, Chairman

On Monday, September 15, 2008 at 7:00 p.m. the Appomattox County Board of Supervisors held a joint public hearing with the Planning Commission at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Planning Commission Members Present:
George Almond - Chairman
Kevin O'Brien
Steve Conner
Calvin Tanner
Marvin Mitchell

Barry Morris
Susan Hudson
Peter Zdgiebloski

Planning Commission Members Absent:
Shannon Dews
Johnnie Roark-(attending another meeting at Appomattox High School)

Chairman of Planning Commission, George Almond, called the public hearing to order.

Chairman Craft called the Board of Supervisors to order at 7:00 p.m.

Chairman Craft explained that Mr. Roark would not be in attendance at this meeting due to having to attend another scheduled meeting being held by Williams Gas Company regarding the natural gas rupture that took place on Sunday, and that Mr. John Spencer would be conducting this meeting.

Chairman Craft explained the procedure for addressing the Board during the public hearing.

Mr. Spencer apologized for the power point equipment not working as planned for this meeting.

Mr. Spencer presented the first petition to be discussed as petition#CUP08006- Lawson Family Trust, LLC and explained that they are requesting a conditional use permit to place an off-premise sign on property located at 129 Police Tower Road (TM#63-A-11) and is approximately 5.99 acres and is in the Southside District. The property is zoned M-1, Industrial.

Chairman Craft called for anyone who wished to speak in favor of this petition.

Mr. Ron Martin of 191 Police Tower Road, Appomattox, Virginia came forward and stated that he is the owner of Stall Works, LLC, and he is simply wanting to place a sign up to help customers and venders find them and to advertise Stallworks, LLC,.

Chairman Craft called for anyone else who wished to speak in favor of this petition, hearing none, he called for anyone who wished to speak against this petition. Hearing no further comments, Chairman Craft asked Mr. Spencer to present the next petition.

Mr. Spencer presented petition #CUP08007- Whitaker R. Johnston – who is requesting a conditional use permit to operate a commercial kennel on property located off Reedy Spring Road (Route 648) (portion of TM#95-A-19 & 20) in the Southside District. The property is zoned A-1, Agricultural. The site is located in a rural area of the county on a large tract (52+ acres) parcel. Mr. Whitaker plans on utilizing two existing buildings on the property that were formerly used as a shop area and a barn (Bob's Garage & Auto). The buildings will be fitted with sound muffling material to reduce the impact of the animals. Mr. Whitaker states in his application that he intends to board 15-20 dogs at any given time. Mr. Whitaker plans on installing fencing and lighting to enclose several outdoor areas for the dogs to use, which are located adjacent to the kennel and training building. The house located on the property will be

utilized at Mr. Whitaker's home and the office portion of the business will be located in the home.

Chairman Craft called for anyone who would like to speak in favor of this petition.

Mr. Whitaker Johnston came forward and gave his address as 1518 Arrow Street, Lynchburg, Virginia. Mr. Johnston stated that he is property owner and petitioner and also stated that this would in no way shape or form be a puppy mill.

Mr. Johnston stated that he would be training and boarding sporting dogs and the closing of the property is contingent on the approval of this petition. If this petition is approved he will be moving to the County.

Chairman Craft called for anyone else to speak in favor of petition. Hearing none, Chairman Craft called for anyone who would like to speak against this petition. Hearing no other comments, Chairman Craft called on Mr. Spencer to continue with the last petition to be heard during this public hearing.

Mr. Spencer presented petition#RZ08004- Mr. R.C. Stephens who is requesting to rezone property located on Phoebe Pond Road (Route 669) between Richmond Highway (Route 460) and the Campbell County line from Residential District R-1 to Residential District R-2. The property is currently vacant and proposed to be divided into four (4) lots of approximately 0.70 acres in size each.

Mr. R. C. Stephens is requesting to rezone property from R-1 to R-2 in order to be allowed to place mobile homes on the property. The current zoning prohibits mobile home placement. Mr. Stephens notes in his application that the adjoining properties along this road have mobile homes placed on them. Much of this area was originally zoned R-1, however over the past five years multiple parcels have been rezoned to R-2. The area contains a mixture of mobile homes and affordable stick built homes.

Chairman Craft called for anyone who wished to speak in favor of this petition, hearing no comments, Chairman Craft called for anyone who wished to speak against this petition. Hearing none, Chairman Craft closed the public hearing.

The Public Hearing closed at 7:12 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, October 6, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held a regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Johnnie Roark – Planner Vicky Phelps – Administrative Assistant

Chairman Craft called the regular scheduled meeting to order at 6:30 p.m. and then delivered the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Hearing no public comment, Chairman Craft welcomed Ms. Barbara Williams, Ms. Janet Belter and Ms. Sara Henderson to the meeting and explained that they had requested time on the agenda to ask the Board to consider giving the employees of the Constitutional Officers the State approved two percent increase retroactive to July instead of waiting until December.

Ms. Williams thanked the Board for allowing her to come and speak to them to request an increase in salaries for her employees. Ms. Williams requested that her employees be given more than the two percent that has been approved by the State. Ms. Williams stated that she has had the same number of staff in her office for over ten years. Ms. Williams stated that she is making this request for her employees salaries not hers. Ms. Williams stated that the State is allowing localities to hire a new employee at a higher salary rate than what her employees are making that have been in these positions for years.

Ms. Belter stated that with the exception of one employee in her office they have all been employed by the County for over fifteen years. She is requesting that her employees be given more than the State proposed two percent increase.

Ms. Henderson also stated that her office has taken on a great increase of work dealing with the new land use tax. Ms. Henderson stated that she would also like to see her employee's receive more than the State's proposed two percent. Ms. Henderson stated that she has a chief deputy in her office but she is not paid the salary of a chief deputy.

Mr. Carter questioned Ms. Henderson on how many applications have been received for land use. Ms. Henderson stated that she has received, as of today, 86 applications.

Chairman Craft thanked Ms. Williams, Ms. Belter and Ms. Henderson for coming and stated that the Board would consider their request later in the meeting.

Chairman Craft next called on Mr. Robert G. Mitchell, Mayor of Pamplin and his engineer who come before the Board to request a fee waiver for the Pamplin sewer project.

Mr. Mitchell stated that he comes with drawings that were previously given to the Board along with two letters that he hopes will answer any questions the Board may have.

Mr. Mitchell explained that Pamplin is in the process of executing a sewer project. Mr. Mitchell explained that the purpose of the provided drawings is to enlist additional seven or eight customers for the forthcoming project to and connect to the Town water system. Mr. Mitchell stated that the reason for this is because the water has not gone beyond the Pamplin town limits, but we are now capable of supplying the needs of these seven or eight customers which are located in the County of Appomattox for water and sewer. Mr. Mitchell explained that what this does for these citizens is solve a long standing run of difficulties with either their water or sewer or both. Mr. Mitchell stated that there is also a mutual interest in this from the Town of Pamplin's stand point, which is they need more sewer customers for this project and this could be a gain for both the customer and the Town of Pamplin.

Mr. Mitchell stated that is one of the reasons for being here would be to get permission to extend the water and sewer lines to these customers who are actually out of Pamplin's town limits. Mr. Mitchell stated that all of these customers have pledged to pay for the cost of the water extension. The sewer extension will be paid for by a grant that the Town will be receiving for this project. Mr. Mitchell stated that he is also approaching the Board to request that they waive the inspection fees for this portion of the sewer project that is located on the County.

Mr. Roark stated that State Code requires the Board to give permission to allow another municipality to run utility lines into another jurisdiction. Mr. Roark stated that the Comprehensive Plan does support this type of action as well as our Resource Conservation Plan which was adopted about a year ago.

Mr. Roark stated that the sewer line goes through what is called a Section 2232 review (Code of Virginia) which is a review by the Planning Commission that basically looks to see if it in conformance with the Comprehensive Services Plan.

Mr. Roark stated that the second part of Mr. Mitchell's request is for the Board to waive the connection inspection fee which equals to approximately $100 per home with approximately 42 homes involved.

Mr. Conrad asked Mr. Mitchell what the cost of connection fees would be for customers on the water and sewer lines.

Mr. Mitchell stated that there is no connection fee for the sewer and the only cost associated with the water is the cost to extend the lines to the customer which is approximately $3,000.00.

Mr. Carter stated that he feels everything seems to be well planned and then made a motion to waive the connection fee for this project. Mr. Moore seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Tanner made a motion to approve the extension of additional water lines within the County of Appomattox. Mr. Moore seconded Mr. Tanner's motion. Chairman Craft called for further discussion, hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft thanked Mr. Mitchell and then presented Administrative Item #1 – Letter of Support for Pamplin Pipe Factory.

Chairman Craft stated that he had asked Ms. Ferguson to write a letter of support for listing Pamplin Pipe Factory by the Archaeological Conservancy. Mr. Craft stated that the Archaeological Conservancy wants to buy the Pipe Factory and make it into a museum. The historical society has agreed to help operate this museum; however they do need more volunteers to help with this project.

Mr. Conrad made a motion to write a letter of support for the Pamplin Pipe Factory to be added to the listing of the Archaeological Conservancy. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for further discussion. Hearing none he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next called on Mr. Gary Christie to appear before the Board regarding a proposal for the development of a Regional Comprehensive Economic Development Strategy (CEDS) document.

Mr. Christie thanked the Board for allowing him to address them.

Mr. Christie stated that the CEDS document would allow all the cities and counties to be eligible to apply for EDA grants that are available.

Mr. Christie explained that two of the local counties Amherst and Appomattox are classified as distressed communities which make them eligible to apply directly for these grants which is an advantage where other counties could apply indirectly if they have a project that could possibly help citizens that are unemployed or in a layoff.

Mr. Christie that overtime the statistics will change for each community and so communities will come in or out of the distressed category, so that in having a regional plan they will not have to build a plan if they come into the distressed category or become eligible to apply for those grants.

Mr. Christie explained that the regional CEDS plan would enable a locality to apply for planning grant money for the EDA which would pay half of the cost of staff time which would be about $80,000 with $40,000.00 of that coming from the Federal EDA office with the rest of the $40,000 being split between Local Government Council as in-kind services and some cash and the rest would come from the local jurisdictions. Mr. Christie explained that being in support of this he would need the Board's commitment of approximately $6,274.00 in the FY2010 funds.

Mr. Spencer stated that the Federal EDA money is something that Appomattox County has used in the past. Mr. Spencer stated that Appomattox had such a document in the 90's which made Appomattox eligible for money which was used for the first phase of the Industrial park.

Mr. Spencer explained that being able to put $6,274 and complete the CED's document at a regional level and still have the same impact here in Appomattox County is quite a bargain.

Chairman Craft called for discussion from the Board.

Mr. Conrad asked Mr. Christie to explain distressed and non-distressed.

Mr. Christie explained that there are standard numbers used nation-wide for this determination, but he would get a better explanation to the Board.

Mr. Tanner made a motion to earmark $6274.00 in the FY2010 budget for the CEDS document. Mr. Conrad seconded Mr. Tanner's motion.

Chairman Craft called for further discussion, hearing none, Chairman Craft called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Christie thanked the Board for their support and invited them to the Regional Dinner on October 23rd, 2008.

Chairman Craft next presented Administrative Item#2 – Planning Commission Recommendations and called for discussion.

Mr. Conrad stated that there are already existing signs in the area and he is not sure why the Planning Commission is not in favor of this.

Mr. Tanner stated that this is located within his district and he would like people to know that we are business friendly and he is not in favor of denying this request.

Mr. Carter stated that the information that has been provided by Mr. O'Brien has provided is very good and he cannot believe why we would hinder a business coming into the County. Mr. Carter also stated that maybe Mr. Roark could enlighten the Board as to why the Planning Commission has denied approval of this request.

Mr. Roark stated that his understanding is that there was some confusion on the directional arrow as it appeared on the sign. Mr. Roark explained that the issue with this is that the Planning Commission was relating back to a previous sign application where the arrow on this particular sign lead you to a home occupation within a neighborhood where as this sign is leading you down Police Tower Road to an industrial zoned site. Mr. Roark explained that he felt the Planning Commissions issue was they wanted to be fair in their decision since they have denied the previous request. Mr. Roark stated that this was a request for conditional use permit and these permits should be reviewed on a case by case basis since in the previous petition this decision may have been prudent where in this case it is not.

Mr. Conrad made a motion to approve CUP08006 of Stallworks for reason of public necessity, convenience, general welfare, and good zoning practice, to locate an off-premise sign at the intersection of Richmond Highway and Police Tower Road as submitted. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for further discussion. Hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented petitionCUP08007of Whitaker R. Johnston for a conditional use permit to operate a commercial kennel on property located off of Reedy Spring Road (Route 648) (portion of TM# 95-A-19 & 20) in the Southside District. Chairman Craft stated that the Planning Commission has recommended approval of this petition. Chairman Craft called for further discussion from the Board.

Mr. Carter made a motion to approve CUP08007of Whitaker Johnston for reason of public necessity, convenience, general welfare, and good zoning practice to operate a commercial kennel on Reedy Spring Road with the following conditions:

1. The applicant shall comply with all rules and regulations concerning commercial kennel operations in accordance with the Virginia Department of Agriculture and Consumer Services, Office of Veterinary Services.
2. All exterior lighting fixtures shall be arranged, directed, and shielded downward so as not to reflect any glare outward towards adjoining streets or properties. At no point shall the glare from these lights exceed 0.5-foot candle power at the property lines.
3. All outdoor runs, training areas, and pens associated with the kennel shall be set back a minimum of 100 feet from any property line where possible.
4. No commercial burial of animals on-site. Applicant may bury his personal animals.

Mr. Conrad seconded Mr. Carter's motion. Chairman Craft called for further discussion. Hearing no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented petitionRZ08004 of R.C. Stephens to rezone property to use for residential purposes. The property is located on Phoebe Pond Road (Route 669) (TM# 72-1-A&B) in the Stonewall District. The property is zoned R-1, Residential. The proposed zoning is R-2, Residential. The Planning Commission recommended approval.

Chairman Craft called for discussion of the Board.

Mr. Carter asks if there was any opposition during the Planning Commission meeting.

Mr. Roark explained that there was no opposition at the meeting and stated that this request is very similar to previous rezoning that has occurred in that area and Mr. Stephens plans will be in harmony with the rest of neighborhood.

Mr. Conrad made a motion to approve RZ08004 of RC Stephens
For reason of public necessity, convenience, general welfare, and good zoning practice, to rezone 2.74 acres on Phoebe Pond Road as submitted. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for further discussion, hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item#3 – Public Hearing on Zoning Amendments and called for discussion.

Mr. Conrad asked Mr. Roark if a review of the changes before the public hearing. Mr. Roark stated that he would review for the Board and also there was a change that had been added since last month's Planning Commission meeting. This change would be taking the Planned Unit Development, which is mentioned in our ordinance, where the zoning classifications are listed. Technically at the present time this is not a zone so the changes will be making an amendment to create this as a zone.

Mr. Conrad made a motion to schedule a Public Hearing on October 20, 2008 to receive comments on the proposed ordinance amendments. Mr. Carter seconded Mr. Conrad's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item#4 – Voting Credentials for the VACo Annual Business Meeting and called for discussion.

Mr. Carter made a motion to appoint Mr. Conrad as a delegate to the VACo Annual meeting. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #5- Application for Fireworks Permit and called for discussion.

Mr. Carter made a motion to approve the Permit for Fireworks Display for the Historic Appomattox Railroad Festival. Mr. Moore seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #6 – Resolution for the Greenway Master Plan and called for discussion.

Resolution of Adoption

The Appomattox Greenway Masterplan-

A Vision for your Future

WHERAS, Appomattox County is committed to the preservation and enhancement of the historic, cultural and resources within the County; and

WHEREAS, Appomattox County, in partnership with the Town of Appomattox, received technical assistance through the National Park Service Rivers, Trails, and Conservation Assistance Program to assist in developing a connection vision for the Appomattox community; and

WHEREAS, the Appomattox County and Town and the Appomattox Court House National Historical Park, formed the Appomattox Heritage and Recreational Trail Planning Team, AHRTPT, to investigate opportunities for creating pedestrian connections within the community; and

WHERAS, the AHRTPT developed and the Appomattox County adopted The Appomattox Heritage and Recreational Trail Plan – A Vision of Connectivity as a conceptual plan for development of pedestrian trail that would connect the Town of Appomattox with the Appomattox County Community Park and the Appomattox Court House National Historical Park; and

WHEREAS, the National Park Service and the American Society of Landscape Architects formed a partnership to promote assistance to local governments to promote greenway planning projects; and

WHEREAS, the Richmond landscape architecture firm of design forum Incorporated, through public input and planning expertise, developed The Appomattox Greenways Master Plan – A Vision for your Future, a comprehensive master plan that highlights both on-road and off-road pedestrian connections that will enhance the community resources and provide healthy lifestyle and quality of life benefits to the community;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Appomattox County do hereby adopt The Appomattox Greenway Masterplan – A Vision for your Future.

Adopted the 6th day of October, 2008, Appomattox County, Virginia

By: _____

William H. Craft, Chairman

Appomattox County Board of Supervisors

Attest: _____

Aileen T. Ferguson, County Administrator

Mr. Tanner made a motion to approve the resolution adopting the Greenway Master Plan for Appomattox County. Mr. Moore seconded Mr. Tanner's motion.

Chairman Craft called for further discussion.

Mr. Carter questioned if she revised the plan as suggested in the last meeting. Ms. Ferguson stated that the change was made.

Chairman Craft called for further discussion. Hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item#7 – Old Spout Spring School, Chairman Craft explained that Mr. Wayne Reynolds is asking the County to assist him in removing this building from his property. Chairman Craft called for discussion.

After discussion, it was the consensus of the Board to deny this request.

Chairman Craft next presented Administrative Item#8 – Transportation Enhancement Grant and called for discussion.

Ms. Ferguson stated that funds for this grant would be needed in the FY2010 budget and it is possible that some in-kind work could be used towards the needed funds.

Mr. Roark explained that the match would most likely not be a cash match, but the Board would need to be prepared just in case. Mr. Roark also stated that they would be soliciting donations from the private sector towards this also.

Mr. Roark explained that we are not ready to move ahead with this second grant. Mr. Roark explained that it is a possibility that the County would not receive this grant, but they were excited about receiving the $138,000.00 that was received this year, because they had been told they would not be receiving any money, but then the project was very well liked. Mr. Roark

explained that they had initially applied for $150,000.00 and received $138,000.00 and also received the funds much sooner than planned.

Ms. Ferguson stated that we now have an edge up on everyone else since they have already funded us the $150,000.00.

Mr. Roark stated that this grant application would need to be submitted by November.

It was the decision of the Board to table this item until the October 20, 2008 meeting.

Chairman Craft stated that Mr. Conrad wished to address the other members of the Board regarding a letter he has received from Delegate Watkins Abbitt advising that there would be great reductions in local funds for the next fiscal year. Mr. Abbitt stated that is would be prudent for any locality to put off any new spending and to start looking at existing programs where you may be able to save money. Mr. Abbitt stated that if the State revenue continues to worsen there could be even deeper cuts in State funding to localities. Mr. Abbitt has stated that he would keep the Board advised as he continues to receive updates from the Governor and the budget department.

Mr. Conrad stated that he does not think there is any question that this budget is going to be a very difficult task and we may have to look at cutting some things in the County.

Mr. Tanner thanked Mr. Abbitt for the letter and stated that he does not feel that we have seen the bottom yet and it is going to be painful on the federal, state and local levels and we need to be very prudent as we move forward.

Mr. Craft presented a letter from Mr. Slagle of the EDA wanting to schedule a work session to receive input on the proposed Economic Development position.

Chairman Craft presented the Consent Agenda and called for discussion.

CONSENT AGENDA
Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:
Commonwealth's Attorney
Supplement by consent and appropriate $202.16 to 2201-5504 Travel and Education for reimbursement received for hotel room adjustments.

Sheriff's Department
Supplement by consent and appropriate $1095.26 to 3102-1002 Overtime and $90.72 to 3102-2001 FICA in the Sheriff's budget.

Also, supplement by consent and appropriate the following to the Sheriff's budget for reimbursements received:

3102-5403 Agricultural supplies $4.00

Jail
Supplement by consent and appropriate $396.18 to 3301-3001 Professional Health Services in the jail budget for refund received.

Library
Supplement by consent and appropriate the following amounts to the library budget for book replacement fees, donations and book sales:

7301-5401 Office Supplies	$513.95
7301-5411 Books	154.66
7301-5414 Pamplin Depot	55.95

Appomattox County Public Schools
Supplement by consent and appropriate $317,573.09 to the school budget for funds received late in June 2008, changes due to March ADM adjustments, funds received which were not budgeted, and adjustments for changes in state forecasts.

FUND TRANSFERS:
Sports Complex Fund
Transfer by consent to the general fund $4,750.00 from the Sports Complex Fund to 7101-3002 Professional services to pay the attached bill.

Mr. Carter made a motion to approve the Consent Agenda as presented. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for further discussion on the Consent Agenda. Hearing none, Chairman Craft called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Informational Items and called for any discussion that the Board may have.

Chairman Craft next called for Supervisors Concerns.

Mr. Tanner stated that he would like to express a thank you to Mr. Donnie Ferguson for helping to save a life of a fellow employee while at work. This gentleman has since gone through bypass surgery and thanks to Mr. Ferguson he is alive today.

Mr. Carter also stated a thank you to Mr. Ferguson.

Ms. Ferguson stated that Item#21 – Closed Session should be struck from the Agenda.

Chairman Craft stated that the Board would need to make a decision on the request from the Constitutional Officers to give their employees an additional salary increase.

After a lengthy discussion, Mr. Tanner made a motion to approve a two percent salary increase for all Constitutional Officers and staff retroactive to July 1st, 2008. Mr. Carter seconded Mr.

Tanner's motion. Chairman Craft called for further discussion, hearing none, Chairman Craft called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the upcoming meetings.

UPCOMING MEETINGS

Monday, October 20, 2008
Joint Public Hearing with the Planning Commission
6:15 P.M.
Appomattox Community Center

Monday, October 20, 2008
Regular Scheduled Meeting
6:30 P.M.
Appomattox Community Center

Thursday, October 23, 2008
Virginia's Region 2000 Local Government Council
Regional Dinner
City of Lynchburg
Information Technology Center
3550 Young Place, Lynchburg
6:00 P.M. – Reception
7:00 P.M. – Dinner

Monday, October 27, 2008
Joint Meeting with the Appomattox County School Board
7:00 P.M.
School Board Conference Room

Monday, November 3, 2008
Regular Scheduled Meeting
6:30 P.M.
Appomattox Administrator's Office Conference Room

Mr. Conrad made a motion to adjourn the meeting. Mr. Carter seconded Mr. Conrad's motion. Chairman Craft called for further discussion. Hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:44 p.m.

W. H. Craft

William H Craft, Chairman

On Monday, October 20, 2008 at 6:15 p.m. the Appomattox County Board of Supervisors held a joint public hearing with Appomattox County Planning Commission at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: Board of Supervisors:
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Present: Appomattox County Planning Commission
George Almond - Chairman
Kevin O'Brien
Steve Conner
Calvin Tanner
Barry Morris
Susan Hudson
Earl Dickerson

Absent: Appomattox County Planning Commission:
Shannon Dews
Peter Zdgiebloski
Marvin Mitchell

Chairman of the planning commission, George Almond, called the planning commission to order.

Chairman Craft called the Board of Supervisors to order at 6:15 p.m.

Chairman Craft then called on Mr. Roark, County Planner to give the purpose of the public hearing.

Mr. Roark explained that the first ordinance to be considered would be the Planned Unit District which is a new district. Mr. Roark explained that this section of the ordinance would be used for your traditional neighborhood developments (example: Windhurst).

Mr. Roark explained that in the previous ordinance, which is being used today the Planning Unit is not listed as a district, so if someone wanted to come in our office to develop in this manner, he would have the regulations but no district. Mr. Roark explained that this district would be added under Section 170-12 which enumerates the districts and then take the current regulations and delete them from where they are now located in the ordinance and add them back in under the proper place in the zoning ordinance.

Mr. Roark explained that the next three changes, all concerning the B-1, Commercial District, are changes that the Planning Commission has been contemplating for some time. First, the Intent of the district would be amended in order to better correspond with the goals of the Comprehensive Plan. Next the Permitted Uses list and the Conditional Uses list would be amended to properly reflect he preferred land uses within the district. All three changes are intended to simplify the administration of the B-1, Commercial District regulations, so that locating a new business in the county is not so cumbersome. The proposed amendments also mirror the changes being considered by the Planning Commission as it continues to work on a new, updated zoning ordinance.

Mr. Roark explained the next changes would be to amend the definitions (Section 170-3) listed in the zoning ordinance. Mr. Roark explained that some of the use categories are new and need defining, while some uses do not have a definition or the definition needs updating.

Mr. Roark explained the ordinance change on Temporary Signs (Section 170-87 (C) (11). Mr. Roark explained that this amendment has been needed for several years. Several court decisions have struck down similarly worded regulations concerning political signs. Mr. Roark explained that this change was removing political signs from the Temporary Sign Section and adding a section that would regulate Political Signs (Section 170-87 (C) (17).

Mr. Roark explained adding a section on Traffic Impact Analysis (Section 170-25) for the Zoning Ordinance which is due to new regulations passed by the General Assembly to enhance the coordination of and use for transportation planning. Section 15.2222.1 was added to the Code of Virginia to expand VDOT's role in the land planning and development review process. Mr. Roark explained that it would be the locality's responsibility to implement the guidelines. This regulation will impact all rezoning, conditional use and comprehensive plan review applications. Mr. Roark also explained that all new subdivision or site development plans will have to be reviewed for compliance.

Mr. Roark next explained the Traffic Impact Analysis for the Subdivision Ordinance (Section 5.24) which is a companion amendment to the zoning ordinance amendment regarding the new regulation passed by the General Assembly to enhance the coordination of and use in transportation planning.

Mr. Roark stated that after speaking with Mr. Overstreet, he felt it would be better to have this stated not only in the State Code but also our local code as well.

Mr. Roark explained that the next change would be an amendment to Section 3.24 Required Documentation to the Subdivision Ordinance. Mr. Roark explained that this change is necessary to enhance the GIS parcel layer that is currently being developed by Timmons Group. Mr. Roark explained that as we move forward, new parcels will be added to the layer and by utilizing survey accurate data, the parcel layer will gradually improve in accuracy and detail. Mr. Roark also explained that the digital information will gradually be implemented over the next year. Mr. Roark stated that he had spoken with a few of the surveyors that do business in the county and have found no objections.

Mr. Craft thanked Mr. Roark for the summary that he provided to the Board on all the proposed changes.

Mr. Craft next welcomed Mr. Earl Dickerson to the Planning Commission.

Public comment was called for.

Having no public comment on the proposed changes Mr. Craft closed the public hearing at 6:27 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, October 20, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held its regular scheduled meeting at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Craft called the regular scheduled meeting to order at 6:30 p.m. and called on Mr. Tanner to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft called for the setting of the agenda. Chairman Craft stated that he would like to discuss the defacing of the political signs during Supervisors Concerns.

Chairman Craft called for public comment, hearing no comments, Chairman Craft presented Administrative Item #1 – Piedmont Alcohol Safety Action Program. Chairman Craft explained that the Board needed to replace Mr. Robert Carter with term effective immediately. Chairman Craft stated that Ms. Ferguson has stated that since no applications have been received from the public to fill this vacancy, she would be willing to serve in this capacity for the present time.

Chairman Craft asked Board members if anyone had a problem with Ms. Ferguson serving on this committee. Hearing no comment from the Board, Chairman Craft made a motion to appoint Ms. Aileen Ferguson, County Administrator to serve on the Piedmont Alcohol Safety Board. Mr. Carter seconded Chairman Craft's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #2 – Regional Greenway Alliance and explained that Virginia's Region 2000 Local Government Council is requesting that the Board appoint two representatives from the county to serve on the Greenway Alliance, with one term beginning now and ending December 2010, and the other for a one year term beginning now and ending December 2009.

The Board next discussed the applications for appointment to the Greenway Alliance representing Appomattox County.

Mr. Carter made a motion to appoint Mr. Terry H. Brennen for a two year term with term ending December 2010 and Mr. Gerald Mosley for a one year term ending December 2009. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for discussion, hearing none, Chairman Craft called for a vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #3 – Endorsement Resolution for VDOT Grant and explained that this matter had been tabled at the previous meeting. He then called for discussion.

Mr. Johnnie Roark, Planner addressed the Board to explain this request in further detail. Mr. Roark explained that this Resolution of Support does not buy you into this. He explained that we are not bound until we are under contract. Mr. Roark stated that worse case scenario a payment of $125,000 would be needed, and that would be if we do not receive help from anyone. Mr. Roark stated that they would be soliciting for in kind donations from local businesses, land donations, easements, which can all be counted

towards the in kind amount that would go towards the $125,000 match. Mr. Roark stated he feels that though the donations of easements from several businesses you will come up with what is going to be needed for match.

Chairman Craft asked if the County did not meet the $125,000 in match would it affect the first grant that has already been received. Mr. Roark stated that it would not be looked upon favorably if we did not meet the $125,000 match.

Mr. Tanner thanked Mr. Roark for the explanation that was given and stated that he now understands this project a lot better.

Ms. Ferguson stated that Mr. Roark is trying to do all that he can to reduce cost this year so that funds can be carried over to next year without a burden to the citizens.

Mr. Tanner made a motion to adopt the Endorsement Resolution for VDOT Grant. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for further discussion, hearing no further comments, Chairman Craft called for a roll call vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

ENDORSEMENT RESOLUTION
FOR SUBMITTAL TO THE
VIRGINIA DEPARTMENT OF TRANSPORTATION FOR A
FY 2009-2010 TRANSPORTATION ENHANCEMENT GRANT

WHEREAS, Appomattox County recognizes the importance of highlighting the unique cultural, historic, and natural resources of the community to ensure the quality of life for its residences now and in the future; and

WHEREAS, Appomattox County, in partnership with the Town of Appomattox , the Appomattox Court House National Historical Park, and citizen stakeholders developed and approved The Appomattox Heritage and Recreational Trail Plan – A Vision of Connectivity as guiding document create alternative transportation corridors in the community; and

WHEREAS, the Appomattox County adopted the Appomattox Greenways Masterplan – A Vision for your Future as a detailed plan that highlights on-road and off-road connections to key resources in the community; and

WHEREAS, Appomattox County approved The Region 2000 Greenway, Blueways, and Trail Plan, a regional preservation, trail, and alternative transportation plan; and

WHEREAS, the Appomattox County Economic Development Authority approved the use of EDA property for the utilization of a trail to provide for safe transportation of pedestrian to the Appomattox County Community Park; and

WHEREAS, the Commonwealth Transportation Board provided support for the development of a pedestrian trail that will connect resources within the Town of Appomattox to the Appomattox County Community Park through the award of an Enhancement Grant with the FY2008-2009 grant cycle;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Board of Supervisors of Appomattox County hereby requests the Commonwealth Transportation Board to continue to support the development and construction of the Appomattox Heritage Trail, a multi-use trail; and

BE IT FURTHER RESOLVED, that the Appomattox County Board of Supervisors hereby agrees to pay a minimum of 20 percent of the total cost for planning and design, right of way, and construction of this project, and that, if Appomattox County subsequently elects to cancel this project it hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation.

Adopted the 6th day of October, 2008, Appomattox County, Virginia

BY: _____
William H. Craft, Chairman
Appomattox County Board of Supervisors

Attest:_____
Aileen T. Ferguson, County Administrator

Chairman Craft presented Administrative Item # 4 – Request for Ordinance Consideration and explained that a request had been received asking the Board to adopt an ordinance that prohibits burning in Appomattox County and also Virginias for a Healthy Future are asking that a resolution be passed asking the 2009 General Assembly to support a smoke free Virginia. Chairman Craft called for discussion from the Board.

Mr. Conrad stated that he had no intentions of supporting this for the reason that we are a rural county and this request is asking the entire County not to burn leaves. Mr. Conrad stated that he does not burn leaves himself, but he would not want someone telling him he can't when it would be on his own property. Mr. Conrad stated that he realizes that when burning, carbons are released into the air, but this County does not have the resources for someone to come around and collect the leaves.

Chairman Craft stated that he would support a request possibly if it was just in a subdivision and the majority of the people in that area agreed with this request.

Mr. Conrad stated that he lived in a subdivision and people in his subdivision do burn and he would guess that the people would not support this request either.

Mr. Moore stated that when you have a farm it is at times necessary for you to burn and he has a problem with being told that he cannot burn.

Mr. Carter stated that when he was on Town Council one thing that was a concern to citizens in Town was the smoke, due to leaf burning. This was because of allergic reactions, and problems relating to asthma. During that time a leaf burning code was enacted and that is the reason a leaf collector had to be bought prior to adopting that code.

Mr. Conrad stated that this would be hard to do with the entire county.

Mr. Carter agreed with Mr. Conrad's comment and stated that he felt a subdivision would be the only place this could possibly be done.

Mr. Tanner stated that he agreed with the Board on their comments and the only thing was that he asked that if you burn to please burn responsibly. Mr. Tanner stated that out of respect you could let your neighbor know that you are going to burn, but he feels that if you want to burn, you should be able to burn.

It was the consensus of the Board to take no action on the request to ban burning within the County of Appomattox.

Chairman Craft called for discussion on the request from Virginians for Healthy Future to pass a resolution asking the 2009 General Assembly to support a smoke free Virginia.

Mr. Conrad stated that he is against telling people in bars that they cannot smoke.

Chairman Craft stated that he felt it could be up to the citizen as to whether to patronize businesses that allowed smoking.

Mr. Conrad stated that he feels the same way and if he did not want to go into a restaurant that allowed smoking, he would go somewhere else.

It was the consensus of the Board to take no action on this request.

Chairman Craft presented Administrative Item #5 – Virginia United Methodist Housing Development Corporation and explained that they are requesting a real estate tax exemption status.

Mr. Overstreet stated that this issue first came up about four years ago. In the past the State Legislature had set out classifications for tax exempt property. For designation the General Assembly would adopt a special act saying that certain places were exempt. Mr. Overstreet stated that in 2003 they allowed by ordinance to exempt by designation. In 2004 the Board was of the opinion then that this was not going to be done. Mr. Overstreet stated that nothing has changed since then so if the Board wanted to do this they would have to adopt an ordinance stating that the Board would entertain a request for tax exempt status by designation and then an application would have to be filed and a public hearing would need to be held.

Mr. Carter stated that he felt that we needed to stay as we are.

It was the consensus of the Board to take no action.

Chairman Craft next presented the Consent Agenda and called for discussion.

Approval of Minutes

September 19, 2008 – regular scheduled meeting

September 19, 2008 – joint public hearing with Planning Commission

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS
Sheriff's Department
Supplement by consent and appropriate $75.00 to 3102-5408 Vehicle Power Equipment Supplies for reimbursement received from Orange County Sheriff's Office.

Also, please supplement by consent and appropriate $120.00 to 3102-5409 Police Supplies for reimbursement received from Project Lifesaver Tracking.

Spay and Neuter Fund Distribution
Supplement by consent and appropriate $23.75 to 7109-5631 Awag in the donations budget.

Animal Control
Supplement by consent and appropriate $25.00 to 3501-5402 Food Supplies in the Animal Control budget for a donation received.

2% Salary Increases
Approve funding the 2% salary increase promised to Constitutional Officers and their employees beginning December 1st from local funds. As I am sure you are aware, all increases for state employees and constitutional officers and employees have been frozen. This will cost the locality approximately an additional $34,000.00.

FUND TRANSFER
Sports Complex Fund
Transfer by consent $1199.00 from the Sports Complex Fund into the General Fund to pay for lab tests on the well at the Community Park.

Sheriff's Asset Forfeiture Account
Approve $180.00 expenditure from the Sheriff's Asset forfeiture Account for the month of October 2008.

LINE ITEM TRANSFERS:
Erosion and Sediment Control
Transfer $518.00 from1101-5804 Operating Reserve in the Board of Supervisors budget to 8205-5305 Vehicle Insurance in the Erosion and Sediment Control budget to pay vehicle insurance.

Mr. Carter made a motion to approve the Consent Agenda as presented. Mr. Conrad seconded Mr. Carter's motion. Chairman Craft called for further discussion, hearing none, he called for a roll call vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Informational Items and called for discussion.

Hearing no comments on the Information Items Chairman Craft called for Supervisors Concerns.

In the discussion of vandalism of political signs during Supervisor Concerns the following statements were made:

Mr. Tanner stated: "that I denounce and condemn the folks with the racial slurs and vandalism of signs whether political or anywhere and I fully support the Sheriff's office and hope and pray that they can bring them to justice".

Mr. Carter stated: "I hope the Sheriff's Department will be able to catch the guilty party".

Mr. Conrad stated: "I certainly agree with the previous comments on the marking up of the signs and this should not be tolerated. As long as this is a free country people have the right to run for president or any other office, if you don't believe in a person philosophy, just don't vote for them, but to go out and desecrate stuff in protest is certainly unacceptable by any standard".

Chairman Craft stated: "I agree with everything that has been said and I think it is deplorable and not what we need in today's world. If anyone should have any information concerning this please call the Sheriff's office".

Mr. Carter commended Ms. Ferguson on the provided landfill article.

Mr. Carter stated that this article is a great report and is self explanatory. He feels that it answers a lot of unanswered questions that citizens may have.

Mrs. Ferguson stated that T.J. Knight is responsible for doing this article and similar articles will be in the paper each week. T.J. is going to try to get the articles to her prior to printing, and she will get the article to all Board members so they will have an opportunity to review before the paper comes out and can be prepared for any questions from citizens if there should be any.

Mrs. Ferguson stated that she feels Ms. Knight has done a great job on this article and she will make sure she is given the Board's praises.

Chairman Craft presented the upcoming meetings.

Next, Mr. Spencer invited the Board to attend an EDA discussion with Economic Development Allies on October 27th from 5pm – 8pm. Mr. Spencer stated that this would not be a presentation but a discussion of economy and how it relates to the State and County.

Mr. Overstreet stated that if the Board is there as a citizen not meeting as a Board it would be okay for them all to attend the EDA discussion on October 27th .

Chairman Craft called for any further discussion by the Board. Hearing no further discussion, Mr. Carter made a motion to adjourn the meeting at 7:10 p.m. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:10 p.m.

William H. Craft, Chairman

On Monday, October 27, 2008 at 7:00 p.m. the Appomattox County Board of Supervisors held a joint meeting with the Appomattox County School Board, located on 316 Court Street, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant

Present: Appomattox County School Board
J. Wesley Williams, Chairman
Amy M. Martin
Bobby K. Waddell
R.W. Mitchell
Stacy C. Garrett

Also Present: Dr. Aldridge A. Boone, Division Superintendent
Brenda F. Gowin, Clerk to the Board

Mr. Wesley Williams, Chairman of the Appomattox County School Board called the School Board meeting to order.

William Craft, Chairman, Appomattox County Board of Supervisors called the Board of Supervisors to order.

Dr. Aldridge A. Boone, Superintendent, welcomed everyone to the meeting and began with a power point presentation. Dr. Boone stated that he would like to devote the majority of the meeting to a presentation from Blair Smith and Linda Jones from Dominion Seven Architects to go over the Schools Capital Improvement List and then have a question and comment session.

The Power Point presentation began with student demographic data.

The total enrollment as of June 30, 2008 was 2219, with Appomattox Primary School enrollment being 503; Appomattox Elementary School enrollment being 530; Appomattox Middle School enrollment being 513 and Appomattox High School enrollment being 673. Dr. Boone stated that the projected ADM for next year is 2180.

Mr. Perrow stated that Bright Beginnings and Pre-School Handicapped are programs that are provided by grants and we do not get ADM money for these programs.

Dr. Boone then explained that with last years 2008 graduates 163 students graduated out of 176 eligible, with 49 of those being standard diplomas; 98 being advanced studies diplomas; 13 being modified standard diplomas and 3 being special education diplomas. 13 seniors did not meet requirements, out of those 13 students 8 of them returned and completed standard diploma requirements during the summer. One of those students came back and completed advanced diploma requirements during the summer and one student took the GED. One student completed standard diploma requirements this fall and two of these students are currently enrolled at ACHS.

Dr. Boone also briefed the Board on the Class of 2008 Post-Secondary Plans with 137 students planning to continue in school with 87 students planning a 4 year college; 37 students planning to attend a 2 year college and 13 students planning on attending a trade, business, or nursing school. 5 students planned to enter the military and 21 students planned to enter the workforce.

Dr. Boone next presented the teacher demographic data with the goal being: "to have a motivated and highly qualified teacher in every classroom."

Dr. Boone stated that Appomattox County currently has 194 full-time teaching positions with 27 of them being new teachers. Dr. Boone explained that Appomattox County currently has 2 teachers not fully licensed upon employment and 82 teachers with a Masters Degree. Appomattox County has 49 teachers with 0-4 years of experience; 39 teachers with 5-9 years of experience; 32 teachers with 10-14 years of experience; 17 teachers with 15-19 years of experience; 28 teachers with 20-24 years of experience and 29 teachers with 25 or over year's experience.

Dr. Boone next gave a briefing on the division accomplishments by stating that all schools are fully accredited by the Virginia Department of Education for 2007-08. the School division and all schools, except AMS, met adequate yearly progress (AYP) under the "No Child Left Behind Act of 2001" for 2007-08.

Dr Boone stated that we are one of the 54 school divisions out of 132 School Divisions in the Commonwealth to have met all AYP and state accreditation standards for the division level for 2007-08. Appomattox Elementary and Primary Schools received a three year accreditation waiver for sustained excellence.

Dr. Boone briefly described the division initiative for 2008-09.

Dr. Boone explained that the renovations on the baseball field have been completed and they are now getting ready to advertise an RFP for a salary study.

Dr. Boone stated that they are in the process of designing an alternative high school program for the second semester of the 2008-09 school year. Dr. Boone described the APECS Program being similar to Virtual Virginia and bringing it into the school building for an after school program.

Dr. Boone stated that they have finished a Middle School evaluation and received some very valuable information to help with some serious curriculum issues and he also plans to do a program evaluation at the High School.

Dr. Boone continued by stating he is still researching the ROTC Program but with space and budgetary concerns he feels that research is all that can be done at this time.

Dr. Boone stated that Ms. Bennett is working on a K-12 Reading Assessment Program.

Dr. Boone stated that they are now training all new teachers in Marzano strategies which seems to be going very well.

Dr. Boone next discussed the Olweus Bulling Program and stated that bullying is probably the most single detriment to our children and the most under reported incidents, and everyone involved with the children will be trained in this area. Dr. Boone stated that school surveys are being conducted and once the information is calculated they will have better idea of what is happening. A hotline will be placed in the high school and middle school. This should be completed by the first of the year.

Dr Boone next explained some challenges that are being faced which are CIP concerns, maintaining state accreditation and AYP status. Dr. Boone stated that they will continue to address needs of all students.

Dr. Boone also spoke about the anticipated budget shortfalls.

Dr. Boone called for any questions from the Board of Supervisors or School Board.

Mr. Tanner asked if he knew how many students left the public school system to go into a private school.

Dr. Boone stated that around 120-130 students left the public school system to enter either into home schooling or private schools.

The meeting was then turned over to Mr. Blair Smith and Ms. Linda Jones of Dominion Seven Architects.

Ms. Jones began by saying that Dominion Seven Architects had been retained to do a feasibility study for all the schools of Appomattox County.

Ms. Jones stated that the long term goal is to get quality educational facilities for the students. Ms. Jones stated that they would like to see improved student achievement with a competitive school system and one that is safe with a great deal of security. Another principal is that we must be cost conscious.

Ms. Jones stated that some goals that they had for the study were to develop multiple options with cost estimates to meet the future needs of each of the schools and to develop a priority list for maintenance needs which will help the already excellent maintenance and facilities staff. Ms. Jones stated this will be a road map for your organization which will develop a list of all the things that need to be done on a maintenance basis and prioritize the needs.

Ms. Jones explained that the study content is demographic information and a building analysis on each of the buildings that looked at the existing space utilization in every school and came up with some options with a cost analysis for those options. We have made some recommendations for a plan of action. Ms. Jones stated that the cost analysis is using numbers for right now and the early part of 2009. If any of these projects get shifted out which she is aware some will, the numbers will need to inflate as you proceed.

Ms. Jones explained that Appomattox County has gained in population an 11.4% increase between the 1990 and 2000 census and there is an 8.9% projected increase over the next 22 years. The school census from 1999 to 2008 has fluctuated from 2307 to 2392 students annually in the system with a decrease of 1.9% in school population has been predicted over the next 22 years.

Ms. Jones stated that in looking at the grade level census from 1997-2007 minor fluctuations in numbers from grade to grade but an average number of students for all grades when considered together stayed between 165-180 students per year with an average over ten years of 168.

Next Mr. Smith began by briefing the Boards on the Building Analysis. Mr. Smith gave a brief overview of the age of each of the schools and what work has been done over the years.

Mr. Smith briefed the Boards on the five ages of school buildings: In phase one, the first 20 years is where maintenance cost normally are limited to minor repairs and small improvements to reflect changes to the instructional program. During phase two, the

period between 20 and 30 years is where facilities require increasing amounts of annual maintenance and more frequent replacement of worn out equipment. During phase three, from 30 to 40 years is where general maintenance needs increase rapidly. Most of the original equipment should have been replaced and major items such as roofs and lighting fixtures, will need replacing during this time period. These should not be viewed as emergencies, but as necessities arising from the natural aging of building. During phase four, from 40 to 50 years is a time of accelerated deterioration. In most instances, the needs, neighborhood or community has changed, and the school, for instance may no longer be located where the children are. A 50 year old building frequently is too new to abandon but too old to be an effective resource of the district. During phase five, more than 50 years is usually when the building should be reconstructed or abandoned.

Mr. Smith next gave a briefing on the average life span of the mechanical, electrical systems for each of the schools and the school administration building.

Mr. Smith next talked about the existing space utilization for each of the schools. Mr. Smith stated that they have looked at the current trends and education and based their options and projections for space utilization.

Ms. Jones stated that we are now in the 21st Century and our children and teachers are different than they were years ago. The digital influence is tremendous in our society today and schools are more community centers with a lot of activity going on after school with lots of people using the schools on weekends for various things. Localization has had an impact on schools. There are also alternative methods of delivery now, where it was not years ago which was pretty much a one way delivery of children. Ms. Jones explained that we now have small schools in large schools, which is now at our current Elementary School. Ms. Jones stated that all of this has changed the way our schools operate.

Ms. Jones and Mr. Smith discussed the key issues with each of the schools and school related buildings while providing schematic drawings to show these key issues and the different changes needed for each school while also providing different options that are recommended for fixing these issues.

Mr. Smith and Ms. Jones next discussed cost estimates. Ms. Jones explained that school construction cost have increased significantly in the last two decades. Ms. Jones stated that the state averages have increased 54% in the last five years. Ms. Smith also explained that the designs of schools have become more sophisticated over the last 20 years. It was explained that as compared to schools constructed in the 1960's and 70's the introduction of air condition in the late 1970's and early 1980's, the wiring and purchase of technology equipment in the 1990's, the inclusion of specialty vocational classrooms and the design of better constructed building have all contributed to significant increase in costs.

Mr. Smith and Ms. Jones explained that they have tried to be conservative with these estimates and view them as a planning tool versus a number that should be used to secure

financing. Mr. Smith stated that they are using the state average in order to give their cost projections. It was also explained that the cost of these projects will reflect three things, the cost of construction, soft cost that is occurred on every project and a fifteen percent contingency.

Mr. Smith next provided the cost estimates that have been calculated for each of the key project issues that have been discussed.

Ms. Jones stated that there needs to be some sort of a joint working committee established to work on these projects and even if it is decided to not do any type of renovations at this time, it is important that the maintenance budget needs to be increased. Ms. Jones stated that it is also vitally important that the community is educated on the needs of the schools.

Ms. Jones stated that the purpose of this joint committee would be to determine the scope of work and also to develop a Capital Improvement Plan.

Mr. Smith and Mr. Jones next called for questions from either of the Board's.

Mr. Perrow thanked the initial committee within the school who worked in helping get this presentation together.

Dr. Boone stated that he would be glad to give tours of the needed work for each of the schools if any of the Board members would like to do so.

Dr. Boone thanked the Board of Supervisors for their continued support and then turned the meeting over to the Chairman of each Board.

Discussion was called for by each Chairman.

Mr. Carter stated that the information that was provided has been needed for years, and we now have this to work with and he also feels that having two local people working on this project, he is confident that the prices given are not inflated.

Dr. Boone thanked Mr. Carter for his comments and also thanked Ms. Ferguson for her continued support.

Mr. Conrad stated that the information in this report is overwhelming and he feels that it will take of lot of planning to work with this.

Mr. Williams stated that this report is overwhelming and there is going to be priorities and choices made and we will need to continue to work on this together and make some decisions on the priority.

There was discussion on the Board of Supervisors and the School Board scheduling a work session together to work on the CIP projects.

Dr. Boone stated that if acceptable to each Board he would coordinate a calendar with Ms. Ferguson and come up with a date for the two Boards to meet and discuss these CIP projects.

Mr. Tanner stated that as overwhelming as the numbers are he is not shocked after he was given a tour of the schools.

Chairman Craft called for further discussion of the Board, hearing none; Mr. Conrad made a motion to adjourn the meeting. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 8:37 p.m.

William H. Craft, Chairman

On Monday, November 3, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held a regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District
	Samuel E. Carter – Courthouse District
	Thomas H. Conrad – Falling River District
	Russell H. Moore – Piney Mountain District
	Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator
	John K. Spencer – Assistant County Administrator
	J.G. Overstreet – County Attorney
	Johnnie Roark – Planner
	Vicky Phelps – Administrative Assistant

Chairman Craft called the regular scheduled meeting to order at 6:30 p.m. and delivered the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft called for the setting of the agenda. Chairman Craft added Administrative Item #4A – Resolution from Virginia Department of Transportation.

Chairman Craft then called for public comments, hearing none, Chairman Craft called on Mr. Waite Rawls of the Museum of the Confederacy to appear before the Board.

Mr. Rawls thanked the Board for the opportunity to come and speak with them.

Mr. Rawls gave a handout to each Board member containing the information that had been previously presented as a power point presentation to the Town of Appomattox.

Mr. Rawls started by giving the history of Lieutenant Charles A. Wilkin who surrendered here in Appomattox and who is also related to County Attorney J.G. Overstreet.

Mr. Rawls gave a brief history of the Confederate Memorial Literary Society. Mr. Rawls explained that the Confederate Museum opened in 1896 in the former White House of the Confederacy.

The first appeal for donations was in 1892 and was met with hundreds of items from the veterans or their families, including the daughters of Robert E. Lee and the widow and daughters of Jefferson Davis.

Mr. Rawls explained that in 1960 there was a turning point when the Museum's preservation practices needed to be updated to meet modern standards.

Mr. Rawls explained that what sets them apart are their collections. Mr. Rawls stated that they have the most extensive collection of Civil War artifacts which includes 5,000 domestic items, 3,000 military accoutrements, 550 wartime flags, 300 edged weapons, 250 uniform pieces and 250 firearms. International renowned research library with over 100,000 manuscripts, 15,000 books and pamphlets, 2,000 imprints and 600 bound manuscript, scrapbook and newspaper volumes.

Mr. Rawls explained that the problem with their museum is the location which is downtown Richmond and it is difficult to get to, so it was decided to take the museum to the people and become a statewide system of museums.

It was explained that each of the museums that are being planned are of significant size. The three locations that have been selected for these museums are Appomattox, the Fredericksburg region, and Fort Monroe which will give a true statewide reach with Appomattox being the first site to open.

Mr. Rawls explained that a lot of time had been spent on the interpretive plan and all locations will be different and will be ideal settings to explore the major themes of Confederate and Civil War history. Each site will incorporate technology and rotating exhibits, as well as an education and multi-purpose space and gift shop. Mr. Rawls

explained that the museum is set to open all three new sites and a new exhibit in Richmond during the Sesquicentennial Commemoration of the Civil War which is in April of 2015.

Mr. Rawls briefed the Board on what the Appomattox museum will feature, which will include artifacts related to the last months of the Army of Northern Virginia, the Appomattox Campaign, and the surrender, issues of "demobilization" of the armies, reunification and continuing legacy of the Confederacy. This museum will include effects of General Robert E. Lee, including his surrender uniform and sword and the pen used to sign the surrender, effects of Generals A.P. Hill and Joseph E. Johnston, fifty-four flags surrendered at Appomattox and paroles and parolee list. The 18th Virginia flag will be stored in the Appomattox museum.

Mr. Rawls briefed the Board on the Sesquicentennial Commemoration. He explained that the Virginia Sesquicentennial Commission's main effort will be directed toward a major exhibit, which will start in Richmond. It will then split apart and travel the state until March 2015. It will be reunited in Appomattox from March 2015 – September 2015.

Mr. Rawls explained that there would be rotating exhibits where other museum exhibits will rotate around system sites including the War in the West, Gettysburg and the Common Soldier which will keep the Appomattox site new and fresh and encourage repeat visitors.

Mr. Rawls explained they will market the museum system by honoring special system-wide packages for tour groups and tour operators. They will offer Museum-sponsored tours between museum sites, partnering with localities and community tourism partners. Mr. Rawls explained that the Tobacco Commission had been very supportive of their projects.

Mr. Rawls next explained the economic impact this museum will have locally which will be offering some full-time and part-time positions. There will be an increase in local revenues with more visitors and longer stays for hotels, restaurants and shopping. It will impact the community by having a multi purpose space for community use, serving as an outlet for community volunteers and collaboration with local tourism partners including those in surrounding counties and towns.

Mr. Rawls provided the Board with photographs of the Appomattox site along with an aerial site plan and also gave the Board a brief overview of the building plans.

Mr. Rawls stated that the Town had approved $350,000 to assist in the move to this site with $325,000 to purchase the site and $25,000 to use on site improvements.

Mr. Rawls called for any questions that the Board may have.

Mr. Conrad questioned if the museum and artifact exhibits would represent all ethnic groups? Mr. Rawls stated that all ethnic groups would be represented, however there are not many artifacts from African Americans but they do tell the story of what role was played. Even though there are not many artifacts you can use technology to tell the story.

Chairman Craft called for any further questions that the Board may have.

Hearing no further comments, Mr. Overstreet, County Attorney advised the Board that discussion of purchasing real estate would need to be in closed session.

Chairman Craft presented Administrative Item #1 – Ordinance Revisions to the Subdivision and Zoning Ordinance and then called for discussion.

Mr. Tanner made a motion to approve the amendments to the Subdivision Ordinance as presented. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for discussion, hearing none, he then called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Conrad made a motion to approve the amendments to the zoning ordinance as presented. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for discussion, hearing none, he then called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #2 – CVCC Phase 2 Renovation Contract and called for discussion.

Mr. Conrad made a motion to accept the low bid and enter into contract with J.E. Jamerson in the amount of $334,350. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for discussion, hearing none, Chairman Craft called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #3- Virginia United Methodist Housing Development Corporation and called for discussion.

Ms. Ferguson stated that she had contacted the Town of Appomattox to see what they did with the request that they also had received. Ms. Ferguson stated that the Town had requested more information from Mr. Reagan and had not heard anything from him. At this time the Town has not acted on his request.

Mr. Conrad stated that he cannot justify approving an exemption based on the information that has been provided.

Mr. Overstreet, County Attorney stated that in his opinion when legislation changed in 2003, the County would need to have an ordinance in place for these types of request, have an application with various needed information and then the Board would need to hold a public hearing and make a decision. Mr. Overstreet stated that at this time the Board is not in any position to approve or disapprove this request.

Ms. Ferguson asked if she has the right to deny putting this item on the agenda at his request.

Ms. Ferguson was instructed to write a letter to Mr. Reagan denying his request.

Chairman Craft presented Administrative Item #4- Refund request for building permit fees and called for discussion.

Mr. Carter made a motion to approve this refund request and Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for further discussion, hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #4A- VDOT Resolution and called for discussion.

Mr. Tanner made a motion to adopt the Resolution on Stonewall Meadows Subdivision Section III as presented. Mr. Moore seconded Mr. Tanner's motion. Chairman Craft called for discussion from the Board, hearing none, Chairman Craft called for a Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

At the regular meeting of the Board of Supervisors of Appomattox County, Virginia held on the 3rd day of November 2008, it was duly moved and seconded that the following Resolution be adopted:

NOW THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the street description below and on the attached additions Form AM-4.3 to the Appomattox County Secondary Road System for maintenance. The following subdivision road which has been constructed by the sub divider as a Class "A" subdivision in accordance with the requirements of Section 33.1-229, of the Code of Virginia, 1952, and The Virginia Department of Transportation's Subdivision Street Requirements, 1996, **TO WIT:**

STONEWALL MEADOWS SUBDIVISION, SECTION III

Moore Drive, Route 1079 - Beginning at the Intersection of Route 713, 0.32 miles north on Route 1079 to Cul-de-sac.

Total Length – 0.32 mile Right of Way - 50 feet

Pasture Lane, Route 1078 – Beginning at the Intersection of Route 1079, 0.10 miles east on Route 1078 to Cul-de-sac.

Total Length – 0.10 miles Right of Way - 50 feet

BE IT FURTHER RESOLVED, that this Board does guarantee a minimum unrestricted fifty (50) foot right of way with additional widths as may be necessary for cuts, fills and drainage, together with easements on adjoining properties.

Recorded as Instrument # 200700864 on April 4, 2007 in the Appomattox County Clerk's

Mr. Tanner made a motion to adopt the Resolution on Stonewall Meadows Subdivision Section IV as presented. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for discussion from the Board, hearing none, Chairman Craft called for a Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

At the regular meeting of the Board of Supervisors of Appomattox County, Virginia held on the 3rd day of November 2008, it was duly moved and seconded that the following Resolution be adopted:

NOW THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the street description below and on the attached additions Form AM-4.3 to the Appomattox County Secondary Road System for maintenance. The following subdivision road which has been constructed by the sub divider as a Class "A" subdivision in accordance with the requirements of Section 33.1-229, of the Code of Virginia, 1952, and The Virginia Department of Transportation's Subdivision Street Requirements, 1996, **TO WIT:**

STONEWALL MEADOWS SUBDIVISION, SECTION IV

Gravel Pit Lane, Route 1077 - Beginning at the Intersection of Route 608, 0.12 miles south on Route 1077 to Cul-de-sac.

Total Length – 0.12 mile Right of Way - 50 feet

Cow Way Lane, Route 1076 – Beginning at the Intersection of Route 1077, 0.12 miles west on Route 1076 to Cul-de-sac.

Total Length – 012 miles Right of Way - 50 feet

BE IT FURTHER RESOLVED, that this Board does guarantee a minimum unrestricted fifty (50) foot right of way with additional widths as may be necessary for cuts, fills and drainage, together with easements on adjoining properties.

Recorded as Instrument # 200701360 on May 24, 2007 in the Appomattox County Clerk's Office.

Chairman Craft presented the Consent Agenda and called for discussion.

CONSENT AGENDA:

Approval of Minutes

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS

Sheriff's Department

Mr. Carter made a motion to approve the Consent Agenda as submitted. Mr. Moore seconded Mr. Carter's motion. Chairman Craft called for further discussion, hearing none, Chairman Craft called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Informational Items and called for discussion, hearing none, he called for Supervisors Concerns, hearing no supervisor concerns, Chairman Craft presented the upcoming meeting date and times.

Chairman Craft called for a recess at 7:25 p.m. and reconvened the meeting at 7:30 p.m.

At 7:30 p.m. Mr. Carter made a motion to go into closed session in accordance with Section 2.2-3711(A)(3) Code of Virginia to discussion acquisition and disposition of property. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

At 7:55 p.m. Mr. Conrad made a motion to go out of closed session. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft read the Certification of Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344 of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.

ROLL CALL VOTE: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner; aye

Mr. Carter made a motion to adjourn the meeting at 8:00 p.m. Mr. Conrad seconded Mr. Carter's motion. Chairman Craft called for any further discussion of the Board, hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 8:00 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, December 1, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held a regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Johnnie Roark – Planner Vicky Phelps – Administrative Assistant

Chairman Craft called the regular scheduled meeting to order at 6:30 p.m. and welcomed everyone in attendance. Chairman Craft called on Mr. Carter to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft called for the setting of the agenda. Chairman Craft added Administrative Item #6A – Request for waiver of subdivision ordinance.

Chairman Craft then called for public comments, hearing none, he asked Mr. George Almond, Chairman of Planning Commission to come and appear before the Board as scheduled.

Mr. Almond first thanked Mr. Roark and his staff for the work that was done on the citizen survey.

Mr. Almond began by stating that this was an interesting survey and began by giving a brief history on the population of the Town and County of Appomattox.

Mr. Almond stated that this survey was viewed as an opportunity to evaluate and analyze the rules and regulations that govern the community and gain their perception of issues.

Mr. Almond stated that from March to July 1100 surveys had been distributed through out the county, and out of those 1100 surveys 98 were returned.

Mr. Almond explained some of the questions on the survey and how they had been answered by the participants of the survey.

Mr. Almond next explained the results of the survey question on how they felt the county was spending tax dollars. Mr. Almond stated that out of the 98 survey participants they did not feel that county money was being spent as it should be spent in fiscal year 2009. Mr. Almond stated that this is one thing that he felt there was a big contrast in.

Mr. Almond stated that there were also some excellent comments given and some different ideas on how to make a county a better community.

Mr. Almond explained what the county is doing now to make our community a better community. Mr. Almond explained that the Planning Commission is re-working the zoning ordinances along with a new zoning map.

Mr. Almond stated that we can share visions of what we need for the future.

Mr. Almond thanked everyone who took the time to participate in the survey.

Mr. Almond called for questions from the Board.

Mr. Roark explained that ten percent is an average number you will get back on these types of surveys, and then stated that we received a little less than ten percent.

Mr. Roark explained that he had found it very interesting how participants used the dollar in the "spend the dollar section" of the survey.

Mr. Roark also stated that there were a high percentage of citizens that were interested in land preservation; but in the previous section when asked about implementing the tools that would help you to preserve land, sixty percent did not want to implement those tools for not wanting to spend money on them.

Mr. Overstreet stated that it seemed to him that the same percentage of citizens that wanted to maintain the rural character of the county also thought that the development of subdivisions is where it should be.

Mr. Roark stated that there was also a lot of conflicting data given.

Mr. Roark stated that he also found it interesting, and of concern the aging population of the county. He continued that on the population pyramid there is a lot of age 50 plus and there is a tremendous out-flight of younger people.

Mr. Roark next called for questions of the Board.

Mr. Tanner asked that in the section on income was it household or just the participant's income. Mr. Roark explained that question was asking for the participant's income. Mr. Roark also found that 39 percent of the 98 participants had an income that was more than $50,000.

Mr. Conrad explained that in the last census taken you do not get that same information and you have data from a lot more people and feels that number would drop if given to the same persons of the census.

Mr. Craft thanked Mr. Almond for appearing before the board and explaining the survey.

Chairman Craft next called on Mr. Roark to come and appear before the Board to update the Board on the Regional Water Supply Plan.

Mr. Roark began that the Regional Water Supply Plan is a mandated plan by the General Assembly and is overseen by the Department of Environmental Quality. Mr. Roark stated that he has been working on this plan for several years with a regional team. Mr. Roark stated that the Region 2000 Water Supply Plan is moving towards completion as we enter 2009. Mr. Roark explained that Appomattox County does not have an ordinance or plan and presented the Board with samples. Mr. Roark stated that the plan would be modeled after a DEQ plan. Mr. Roark explained to the Board that they would next have to come up with an ordinance and adopt this within the next couple of months.

Mr. Roark called for any questions from the Board. Hearing no further questions, Chairman Craft thanked Mr. Roark.

Chairman Craft next presented Administrative Item #1 – Central Virginia Community Services Board. Chairman Craft explained that a letter had been received from Sandy Farmer, Clerk of the Board and Executive Assistant for the Central Virginia Community Services Board stating that Mr. Crafts term will be ending on December 31, 2008, and Ms. Farmer stated that Mr. Craft was eligible for reappointment for another three year term if the Board chooses to do so.

Mr. Carter made a motion to reappoint Mr. Craft to the Central Virginia Community Services Board for another three year term. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for further discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #2 – VACo/VML Legislative Day 2009.

Mr. Conrad stated that with the upcoming budget constraints that it would be prudent for as many of the Board members to attend as possible.

Chairman Craft instructed Board members to contact Ms. Ferguson and let her know if you will be attending this meeting so that she may send in registration.

Chairman Craft next presented Administrative Item #3 – Virginia Certified County Supervisor Course.

Mr. Conrad stated that he would be interested in attending this course, but he would like some more information.

Mr. Carter asked what the cost of this course would be and what the schedule would be.

Mr. Tanner stated that he is interested in attending this also but ask Ms. Ferguson to check the schedule and the cost of this course.

Chairman Craft next presented Administrative Item #4 – Meeting Scheduled for 2009.

Chairman Craft explained that this schedule was for reviewing and did not need to be approved at tonight's meeting.

Mr. Carter stated that he would like the Board to consider having all the Board meetings at the Community Center instead of the County Administration Building. Mr. Carter explained that an enhanced audio system was now in place at the Community Center and that we have a lot of issues coming up and will need as much space as possible. Mr. Carter stated that he would like the Board to consider this request.

Chairman Craft presented Administrative Item #5 – "Safe Routes to School" Resolution.

Mr. Carter stated that Ms. Hitchcock had done a good job on this and he is in full support.

Mr. Tanner made a motion to adopt the "Safe Route to School Resolution". Mr. Conrad seconded Mr. Tanner's motion.

Resolution of Support

Town of Appomattox Application to the

Virginia Department of Transportation-Safe Routes to School Program

WHEREAS, Appomattox County is committed to increasing pedestrian access to resources within the County and is committed to increasing health lifestyle opportunities for its residents and families; and

WHEREAS, Appomattox Count, in partnership with the Town of Appomattox and the Appomattox Courthouse National Historical Park, formed the Appomattox Heritage and Recreational Trail Planning Team, AHRTPT, to investigate opportunities for creating pedestrian connections within the community; and

WHEREAS, Appomattox County has adopted The Appomattox Heritage and Recreational Trail Plan – A Vision of Connectivity and the Appomattox Greenway Master Plan – A Vision for Your Future as guiding planning documents to develop pedestrian travel within the community.

NOW THEREFORE, BE IT RESOLVED that Appomattox County does hereby support the application by the town of Appomattox to the Virginia Department of Transportation Safe Routes to School Program to develop safe routes for area students to access local schools through physical infrastructure improvements and development of walking and biking educational programs.

Adopted the 1st day of December, 2008, Appomattox County, Virginia.

Chairman Craft called for discussion of the Board, hearing no discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #6- Holiday Request.

Chairman Craft explained that a request had been made by Ms. Belter, Treasurer, Ms. Henderson, Commissioner of Revenue and Ms. Williams, Clerk of the Circuit Court, requesting that the Board approve ½ day on December 24th as an additional holiday.

Mr. Conrad made a motion to approve ½ day on December 24th as an additional holiday. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #6A- Waiver Request of Subdivision Ordinance.

Chairman Craft ask Mr. Roark to appear before the Board to explain this request.

Mr. Roark explained that Mr. Bob Goodman has requested a waiver of the road frontage requirement in the subdivision ordinance allowing him to cut off the house with several acres and keep the barns with the farm. His intention is to develop a subdivision type of development at a later date. Mr. Roark explained that the problem is that any way you look at this, which is about six different ways, this can be done, however, they are all hindrances to the future development of this property. Mr. Roark explained that the strict application of the subdivision ordinance does seem unreasonable in this case, and explained that this is the reason the waiver option is in the subdivision ordinance, for unique or burdensome situations to individuals. Mr. Roark explained that the applicant is requesting a waiver of the front requirement of the property so that he can cut off 2-3 acres and provide an easement back to State Route 707 (Peach Tree Street). Mr. Roark stated that they have extensively studied each of the options that he had and each was burdensome or unrealistic. Mr. Roark stated that it was decided that a waiver was his best option.

Mr. Conrad stated that he did not have any problems; however he was not sure that he could take all this in tonight. Mr. Conrad stated that he would like some more time to

study and talk this over with Mr. Roark to make sure he clearly understands what needs to be done.

Chairman Craft called for other questions that the Board may have.

Mr. Carter questioned if this would be taken to the Planning Commission.

Mr. Roark stated that it would not be taken to the Planning Commission unless the Board decided to forward it to them. Mr. Roark stated that the State Code allows the Board to make these decisions with the proper criteria.

Mr. Tanner stated that he would like to send this to the Planning Commission.

Mr. Conrad stated that he would also like to see this sent to the Planning Commission.

Mr. Tanner stated that he did not think it was unreasonable to request the Planning Commission to study this to be able to make a the better decision.

Mr. Tanner made a motion to refer this waiver request to the Planning Commission to study and have them make a recommendation back to the Board by the January 5, 2009 meeting. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for further discussion, hearing none, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Consent Agenda and called for discussion.

Approval of Minutes:

October 20, 2008 – Joint Public Hearing with Planning Commission

October 20, 2008 – Regular Scheduled Meting

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS

Sheriff's Department

Clerk of the Circuit Court

Animal Control

Library

FUND TRANSFERS:

Wireless Grant

Mr. Conrad made a motion to approve the Consent Agenda as submitted. Mr. Carter seconded Mr. Conrad's motion. Chairman Craft called for discussion, hearing none, Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Information Items and called for discussion.

Hearing no discussion of the Information Items, Chairman Craft called for Supervisor Concerns.

Mr. Tanner stated that he had given the Board some information from the News & Advance on an article from 1949 on Transco's natural gas line.

Mr. Carter stated that he would like each of the Board members to continue to embrace the Economic Development Coordinator as it is so needed by this county to ease this tax burden on citizens. Mr. Carter stated that the Federal Government is giving stimulus packages and we also need to do the same to a coordinator who will give 100% of their time to economic development. Mr. Carter stated that we are the only locality that does not have a coordinator in place. Mr. Carter stated that this is our future and vision for Appomattox County.

Mr. Conrad stated that in the Board book there is a brochure on government deals and feels that this is something that the Board should pay close attention to. Mr. Conrad stated that there is probably a lot of surplus equipment that is sitting around in the County. There are people who can use these things. Mr. Conrad stated we need to get every penny we can get. Mr. Conrad stated that we can advertise under the www.govtdeals.com. Mr. Conrad stated that all offices may have things that we can get rid of but also get some funds for it. Mr. Conrad stated that we as a Board should encourage everyone to start looking at this option.

Mr. Craft stated that he had received a call from a resident who had went to the mailbox with his daughter and someone shot standing along the road, he stated that he called the game warden and was told that there was nothing he could do, since Appomattox County does not have an ordinance to prevent this.

Chairman Craft reminded everyone of the joint meeting with the School Board which will be on Tuesday, December 2, 2008 at the County Administrators office.

Chairman Craft presented the upcoming meetings.

Chairman Craft called for other business, hearing none; Mr. Carter made a motion to adjourn the meeting at 7:30 p.m. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:30 p.m.

William H. Craft, Chairman

On Tuesday, December 2, 2008 at 5:30 p.m. the Appomattox County Board of Supervisors held a joint work session with the Appomattox County School Board at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District
	Samuel E. Carter – Courthouse District
	Thomas H. Conrad – Falling River District
	Russell H. Moore – Piney Mountain District
	Gary W. Tanner – Wreck Island District
School Board:	Mr. Wes Williams – Chairman
	Ms. Stacy Garrett
	Mr. Bobby Mitchell
	Ms. Amy Martin
	Mr. Bobby Waddell
Also Present:	Aileen T. Ferguson- County Administrator
	Dr. Aldridge Boone, Superintendent
	Mr. Billy Perrow
	Ms. Brenda Gowin
	Vicky Phelps – Administrative Assistant

Chairman Craft called the joint meeting to order at 5:30 P.M.

Chairman Williams called the school Board to order.

Dr. Boone started by bringing everyone up to date on the purpose of this work session.

Dr. Boone stated that the capital improvement evaluation has been done and this information has been given to the Board of Supervisors, the School Board and the public. Dr. Boone explained that this evaluation breaks down the individual projects by schools and gives a break-down of maintenance issues that need to be discussed. Dr. Boone also stated that this evaluation also gives a total money figure for projects which totals up to about 72 million dollars.

Dr. Boone stated that the main priority at this time is the maintenance, but as far as construction and renovation we would look at the projected scheduled provided by the architects in the capital improvement evaluation.

Dr. Boone continued that he feels tonight should be an honest and open discussion about where we are and what our plans are.

Dr. Boone commented that the economy is in the worst shape that it has been in for a very long time and then discussed how it is affecting the school systems.

Dr. Boone stated that they are not here to get a commitment from the Board tonight, but to discuss the next action steps as far as our combined efforts to address the needs of the schools.

Dr. Boone stated that the number one priority would be maintenance and then the Primary School.

Chairman Craft asked if there was a break-down of the maintenance cost.

Mr. Carter stated that based on the report from Mr. Blair Smith the immediate needs for maintenance is a cost of about $268,000.

Mr. Carter asked what the waterline cost is referring to. Mr. Perrow explained that is the main line going into the Primary School building.

Chairman Williams stated that there are other areas that need attention that are not on the priority list example being lighting at the high school auditorium.

Mr. Tanner asked where the walls of the high school were listed according to the priority list.

Mr. Perrow stated that all the north facing walls in the high school are crumbling where water is going in the brick and freezing causing them to crumble.

Mr. Carter questioned what the School Board perceived as being the top five priorities?

Chairman Williams stated that in covering the highest priorities that are listed in the report may not take care of all the priorities and there may be more things that need to be addressed.

Dr. Boone explained that if the Board would say they are giving a certain amount of money for top priorities, he would need some time to put together a list of what they feel needs to be done first.

Ms. Martin stated that the entire county uses the auditorium more than she ever thought was possible and it is embarrassing.

Mr. Williams stated that we are in a situation where there are many things needed due to lack of funds.

Dr. Boone stated that we need to put together a 20 year plan.

Mr. Perrow stated that the order that the architects used in the report is not a priority order that they have left it up to us to prioritize.

Mr. Mitchell stated that he feels the priority would be getting the roof fixed at the primary school and get it done as quickly as possible.

Mr. Boone stated that the priority listings are grouped by schools.

Mr. Conrad stated that basically what we want to do is aim for the School Board to look at priorities and the Board of Supervisors start looking to see exactly how much money we will have to help with these projects.

Ms. Ferguson stated that Davenport could help us set a project list with a time line to get things accomplished.

Dr. Boone stated that he understands through discussion that a priority list is needed for total projects and then a priority list for maintenance once that has been done. He asked if a joint work session could be scheduled to discuss this list between the two Boards.

Chairman Craft questioned that if renovations were made would that be also taking care of the school maintenance needs also.

Mr. Conrad stated that over time some of the not so highly rated projects may need to be placed in the higher priority listing.

Dr. Boone stated that we may need to make a maintenance schedule and prioritize.

Chairman Craft stated that all of these projects will be done with County funds not state and federal funds.

Mr. Waddell stated that there may be money out there to help with some of these projects once we have a plan.

Dr. Boone stated that there are formal guidelines for these types of grants.

Mr. Conrad stated that it may be best for the Board to make an effort early to decide what can be given and work with the school board at that point, which would give you the ability to prioritize how you will spend the money.

There was discussion on how the economy is affecting the school system and what percentage of budget cuts they are anticipating.

Mr. Carter stated that the States economy is in very bad shape and it does not look that there will be any relief in the near future, but there are ways to tackle this and it is being done by other localities.

Mr. Carter stated that there can be some changes with an economic development coordinator. This could enhance our tax base which will help with cost. Mr. Carter stated that until the county gets more revenue we are stuck.

Mr. Carter explained the planning commission survey where there was a question as to if you had money where would you place it and the number one placement was education and the number two placement was economic development.

Dr. Boone stated that it is a realty that if something would happen with the roof on the primary school and the electrical work at the high school it is going to cost a lot more money and emergency funds to fix.

Mr. Tanner stated that they key word is "getting started" and we should use the report from Dominion Seven as a road map. Mr. Tanner feels that it is important to include Davenport who will be able to help us.

Mr. Craft stated that we could save money by doing renovations.

Dr. Boone stated that at looking at things from project standpoint we should start designs at the Primary School by next summer and begin construction by 2010. Dr. Boone stated it makes sense to work with chunks of projects.

Chairman Craft stated that we need to wait until December 19 to see what cuts are going to be made and then talk with Davenport.

Dr. Boone stated that he needs about a month to get together a priority list and have it approved by the School Board and then have another joint meeting to discuss list.

Dr. Boone stated that it has been a good conservation and thanked the Board for being so willing to have these discussions and to be so open minded, but the main concern is always the children.

Mr. Conrad stated that we can continue to have a good relationship and work together. We both have the same goals in mind.

Dr. Boone stated that the environment in our schools are important and gave the elementary school as an example saying it is just not welcoming which has nothing to do with the people but inside it is the building.

Chairman Williams thanked the Board for being very receptive and also thanked the superintendent.

Mr. Waddell also spoke on the bus garage and the idea of the County and School sharing a garage.

Chairman Williams called for further discussion of the School Board hearing none; Chairman Craft called for further discussion of the Board of Supervisors.

Being no further discussion Mr. Tanner made a motion to adjourn the joint work session at 6:20 p.m. Mr. Carter seconded Mr. Tanner's motion.

Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 6:20 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, December 15, 2008 at 5:00 p.m. the Appomattox County Board of Supervisors held a joint meeting with the Appomattox Extension Service at the Appomattox County Community Center, located at 220 Community Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District- arrived late Thomas H. Conrad – Falling River District-arrived late Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Extension Service:	Mr. Bruce Jones Ms. Bonnie Tillotson Ms. Donna Tolley
Also Present:	Mr. J.O. Overstreet, County Attorney Vicky Phelps – Administrative Assistant

Ms. Jean Higginbotham – Amherst County

The VPI & SU District Extension Service served dinner at 5:00 p.m.

During dinner, Mr. Bruce Jones welcomed everyone in attendance and gave a power point presentation.

Mr. Jones called on Ms. Evelyn Ferguson to give an overview of the Adult Expanded Food Nutrition Education Program (EFNEP) in the absence of Ms. Wanda Evans.

Ms. Ferguson stated that in 2008 the Adult EFNEP Program has provided services to 110 families in Appomattox and Lynchburg.

The agencies receiving services in Appomattox were WIC office, Social Services, Head Start and the Community Center.

The agencies receiving services in Lynchburg were LMJ Parenting Center, Liberty God Parents Home, College Hill Center, WIC office, Food Bank and the Hudson House.

Ms. Ferguson explained that Ms. Evans gives lessons on how to prepare meals, safe handling of foods and on shopping wisely. Ms. Evans actually goes into the agencies kitchens and helps them cook.

Next Ms. Bonnie Tillotson gave an overview of the 4-H Activities for 2008 which are In-School Programming AES, AMS & ACHS, After-School Clubs, Special Interest Clubs, Health Rocks, Youth Mile, Public Speaking Contest, Share the Fun Contest, Summer 4-H Camp, Summer Day Camps.

Ms. Tillotson gave an overview of each of the programs and explained what is done in each of these programs and who has provided funding for these programs if so needed. Ms. Tillotson stated that Appomattox County had 111 Appomattox Children that attended the 4-H Summer Camp and stated that this year Appomattox will be camping with Lynchburg City instead of Nelson County.

Next Ms. Ferguson gave a presentation of the 4-H EFNEP Program and stated that she had a caseload of 800 youth this year.

Ms. Ferguson explained that the Groups and clubs receive a minimum of six hours of nutrition education and the ages of youth that are served are from ages three to nineteen.

Ms. Ferguson explained that the area youth receiving services are Head Start, Methodist Day Care, YMCA, Fun with Foods, Tiny Angels, AES, Health Rocks, and 4-H Camp. The Lynchburg area youth receiving services are Perrymont Elementary 3rd grade, Camp Timothy, Bedford Hills and Altavista Head Start.

Mr. Bruce Jones gave an overview of the Value-Added Beef Initiative Program. Mr. Jones stated that the Value Added Beef Initiative Program is funded by Tobacco Commission funding and that they receive two allocations. Mr. Jones explained that cattle are the most common enterprise Appomattox County has.

Mr. Jones stated that a fertilizer strategy meeting was held in January 2008 and soil samples increased 65% from 2007.

Mr. Jones told about the hay and forage field-day that was held in the summer to give citizens a good idea of their resources.

Mr. Jones announced that Mr. Jim Smith was inducted into the County Agent Hall of Fame.

Mr. Jones briefed the Board on Agra-tourism and stated that a field day was held at the Alpaca farm and told about the Rockcliff Farm Retreat which has pumpkin patches and blueberry picking fields.

Mr. Jones next explained the Household Well Water Testing Program which will be conducted May 2009. Mr. Jones explained that Appomattox/Campbell will have 350 samples maximum.

Mr. Jones also discussed the drought concerns of cattle feeding and hay and pasture land upkeep and homeowners issues of lawn and garden and insect identification.

Mr. Jones discussed Bee Keeping as an initial education program in 2009.

Mr. Jones stated that triplet cows had been born this year with chances of this happening being about 1 in 100-thousand.

Mr. Jones next introduced Ms. Jean Higginbotham from Amherst County.

Ms. Higginbotham stated that the Central District Supervisors had asked her to speak at this event and to ask the Board to come in support of the State Budget Hearing which will be held in January 2009 at CVCC.

Mr. Jones thanked the Board for their support and ended the meeting.

Chairman Craft thanked the Extension for the delicious meal that had been provided.

The meeting closed at 6:15 p.m.

William H. Craft, Chairman

On Monday, December 15, 2008 at 6:30 p.m. the Appomattox County Board of Supervisors held its regular scheduled meeting at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Absent: Aileen T. Ferguson – County Administrator
Johnnie Roark – Planner

Chairman Craft called the regular scheduled meeting to order at 6:30 p.m. and called on Mr. Conrad to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Craft called for the setting of the agenda. Chairman Craft stated that Mr. Spencer and Ms. Janet Belter had asked to speak with the Board tonight, under appearances, to ask the Board to consider purchasing a new AS400 computer system. Chairman Craft also added Administrative Item #8A – Refund Request and Administrative Item #8-B Emergency Action Plan.

Chairman Craft next called for public comment. Chairman Craft called on Mr. Earl Dickerson to speak with the Board during this time.

Mr. Dickerson came forward and stated his address as 298 Fairview Place, Appomattox, Virginia. Mr. Dickerson thanked the Board for the opportunity to appear before them and stated that he was appearing before the Board because he had received a telephone call this morning from Art Powers who is with Rural Development USDA and was told that if there were any infrastructure projects within the county that was pending that are seeking funding like the water line that his agency is going to be flush with cash after the first of the year with a one hundred day window to allocate where that cash was going. Mr. Dickerson stated that he did not ask how much money or what the interest rate would be, but he was almost positive that it will be below two percent in terms of the money that USDA has available through rural development. Mr. Dickerson stated that when they start calling the engineers and telling them that they are going to have funds available you are going to have a lot of people lining up to get those funds. Mr. Dickerson stated that all that he could think about was the water line. Mr. Dickerson also stated that he received an email from the American Water Works Association who most engineers, who are involved with any water projects, are involved with this association. This email was discussing the massive stimulus program being ready in the amount of ten billion dollars and it stated that you need to contact your Congressional Leaders as soon as possible to let them know

what your needs are in order to get your name in the running for some of these funds. Mr. Dickerson encouraged the Board to make contact on this.

Chairman Craft asked if the funds were federal funds and Mr. Dickerson stated that both of these mentioned funds would be federal funds.

Chairman Craft thanked Mr. Dickerson for the information that he had provided to the Board.

Mr. Carter stated that this needs to be followed up on quickly and decisively, and we do not want to procrastinate on this.

Chairman Craft stated that the County Administrator is out due to an illness and Mr. Spencer Assistant County Administrator will be filling in for her tonight.

Chairman Craft next called on Mr. Spencer and Ms. Belter to appear before the Board as scheduled on additional items.

Mr. Spencer stated that the AS400 will no longer be supported by IBM, so he is suggesting that we upgrade our computer system.

Mr. Spencer stated that he had been working with Ms. Belter and Mr. Overstreet and they had been working with three venders under the small purchasing policy. Mr. Spencer stated that three proposals were received.

Mr. Spencer stated that they have recently found out that IBM has stated that the machines we are looking at buying will not be available to buy after the first of the year and we would have to upgrade several models in order to get what we need and it would cost a considerable more amount of money to do this. Mr. Spencer stated that he had verified this information with the various vendors that we were dealing with and they were aware of this.

Mr. Spencer stated that what they would like to do is recommend that we go ahead and deal with Summit Business Associates out of Richmond. Mr. Spencer stated that they were one of the venders that had sent in a proposal and they offered a five year financing package with turnkey installation and a five year hardware and software maintenance agreement. Mr. Spencer explained that one of the problems that we have had in the past is that we have not had any updates on it since it was put in and we would like to make sure that when we buy something that the maintenance plan is part of the package or we will end up right where we are now. Mr. Spencer stated that the estimated monthly cost of this package will be $478.00 for sixty months which will include the turn key installation and five years soft and hardware maintenance with total package costing over $28,000.

Mr. Conrad asked how much money was put into the FY09 technology budget.

Mr. Spencer stated that $6,500 had been put in for this project.

Mr. Conrad asked if the $6,500 would be used as a down payment.

Mr. Spencer stated that he would pay the first year off with the $6,500.

Mr. Conrad asked if this system would make the offices much more productive.

Ms. Belter stated that it is her understanding that it will be a lot faster and more up to date than the system she is using now.

Mr. Conrad asked what would happen to our old equipment.

Mr. Spencer stated that they would explore the different avenues of what to do with the old equipment.

Mr. Tanner stated that IBM may give something towards a trade in.

Mr. Carter asked that if back in 2001 when the existing equipment was purchased was there not a maintenance agreement purchased.

Ms. Belter stated that there was a maintenance agreement on the equipment, but not on the upgrading.

Chairman Craft called for further questions from the Board. Hearing no other comments, Mr. Conrad made a motion to approve the purchase of a new AS400 computer system in the amount of $478.00 per month for sixty months. Mr. Tanner seconded Mr. Conrad's motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft next presented Administrative Item #1 – Central Virginia Community College and called for discussion.

Mr. Carter stated that he thought this was mandatory and we did not have a choice as to give or not.

Mr. Carter made a motion to fund Appomattox County's share of the site development cost which is $21,043.00 over a two year period. Mr. Conrad seconded Mr. Carter's motion. Chairman Craft called for further discussion, hearing none, Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #2 – Livestock Damage Claim and called for discussion.

Mr. Tanner made a motion to approve the payment of $249.00 to Bonherth Farms for livestock killed by stray dogs. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for further discussion.

Mr. Carter questioned as to why it was so long after the kill that it is being presented to the Board.

Mr. Tanner stated that he had been asked several months ago by the owners, if the Board had acted on this request and he was not aware of it, so he felt that the animal officers must have been working on this for this length of time.

Mr. Conrad stated that he feels that the officers were still working on this and that is why it has taken so long to get this request to the Board.

Chairman Craft hearing no further discussion called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #3- Appointment to the EDA and called for discussion.

Mr. Carter made a motion to reappoint Mr. Buddy Conner to the EDA. Mr. Tanner seconded Mr. Carter's motion. Chairman Craft called for discussion.

Mr. Conrad stated that Mr. Conner has been an asset to the EDA.

Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #4 – Meeting schedule for 2009 and called for discussion.

Mr. Conrad stated that he did not see a reason as to why to meet with the Town due to not having anything on the agenda to meet with them for.

It was decided that the Board would be holding the Organizational Meeting at the scheduled place which is the County Administration Building and they would discuss this at that meeting.

Chairman Craft presented Administrative Item #5 – Planning Commission Appointment for the Piney Mountain District and called for discussion.

Mr. Conrad stated that in today's society people get caught up in the political scheme or structure as well as being involved in community activities. Mr. Conrad stated that he did not have a problem with Mr. O'Brien being on the planning commission except that he has been on this commission a long time and he is aware that Mr. McGrath is an aggressive person and wants to serve the county that it would be incumbent on the Board to take his interest seriously. Mr. Conrad stated that we need to give people a chance that want to take a part in the process and not limit it to the same people in the same roles. Mr. Conrad stated that he would certainly consider Mr. McGrath to serve in this capacity.

Mr. Tanner stated that he would not like to see someone who is working and giving his time to this committee and we then remove him. Mr. Tanner stated that he is not sure what kind of message that would be sending.

Mr. Conrad stated that he does not have a problem with change; however, he does not have anything against Mr. O'Brien either.

Mr. Moore stated that we have a man serving and doing a good job and willing to serve again. He does not see any reason to let someone else come in and take his place.

Mr. Tanner made a motion to reappoint Mr. Kevin O'Brien to the Planning Commission representing Piney Mountain District for a four year term to expire December 2012. Mr. Moore seconded Mr. Tanner's motion. Chairman Craft called for further discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, nay; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #7 – Appomattox Heritage Trail Phase 1 Project Administration Agreement and called for discussion.

MEMORANDUM OF AGREEMENT
between the
COUNTY OF APPOMATTOX
and the
VIRGINIA'S REGION 2000 LOCAL GOVERNMENT COUNCIL
for
ADMINISTRATION OF THE APPOMATTOX COUNTY TRANSPORTATION ENHANCEMENT GRANT FOR THE DEVELOPMENT OF THE APPOMATTOX HERITAGE AND RECREATIONAL TRAIL

I. PURPOSE

The County of Appomattox (herein referred to as the "County") and the Virginia's Region 2000 Local Government Council (herein referred to as the "Local Government Council") are entering into this Memorandum of Agreement (herein referred to as "Agreement") for the purpose of administering the Virginia Transportation Enhancement Grant awarded to the County in June 2008 by way of signed contract from the Virginia Department of Transportation (VDOT). The Enhancement Grant Funds are for the design, engineering, and bid document development for the eventual construction of the Appomattox Heritage and Recreational Trail, a multiuse trail.

II. LOCAL GOVERNMENT COUNCIL OPERATING RESPONSIBILITIES

As Grant Administrator, the Local Government Council shall be responsible for all administrative activities associated with completion and implementation of the awarded County Enhancement Grant. As such the Local Government Council shall provide services which include, but not limited to:

a) Provide oversight and maintenance of all project files and correspondences;

b) Coordinate the procurement process of qualified individual or firm to provide engineering, design, and potential future construction oversight services as required by the Grant;
c) Serve as primary point of contact for any and all necessary Local, State, and Federal Agencies during Grant implementation;
d) Ensure that all easement development, transfer and/or purchase documentation, and Right of Way documentation is developed according to VDOT regulations;
e) Ensure that the project is in compliance with all applicable VDOT grant regulations;
f) Provide periodic project status reports to Appomattox County, VDOT, and any other necessary parties;
g) Coordinate and record all project meetings; and
h) Ensure that the Grant project deliverable, the development of construction bid documents for VDOT approval, are completed.

III. JOINT RESPONSIBILITIES

Representative of the County, Local Government Council, and the County's duly procured individual or firm shall work together to undertake design and engineering activities necessary to develop a bid package that will be approved by VDOT and will be in a format to secure the future services of a qualified contractor(s) to construct a minimum ten-foot wide multiuse trail.

IV. COUNTY RESPONSIBILITIES

The activities of the Local Government Council for the Enhancement Grant Funding shall be conducted with oversight by the County. Further, the County shall provide all necessary authoritative responsibilities that include, but not limited to:

a) Designate individuals for signing and maintaining checks, drawdown's, and general accounting records; and
b) Obtain legal services for the review of contracts, easement documents, and other legal documents as necessary.

V. FINANCIAL ARRANGEMENTS

For services performed in accordance with the provisions of this Agreement, the Local Government Council shall bill the County $5,630.00 as noted within the Enhancement Application Budget, and said sum shall be paid to the Local Government Council in accordance with said Budget.

VI. COMPLIANCE WITH FEDERAL AND STATE RULES AND REGULATIONS

All activities specified in the Agreement shall be performed by the Local Government Council and the County in conformance with all applicable state and federal laws and regulations.

VII. RETENTION OF PROJECT RECORDS

Local Government Council shall maintain all project documents, papers, accounting records, and any other evidence pertaining to project costs inquired. All information shall be made available at the Local Government Council office and shall be available with reasonable notice for inspection and audit by any authorized County representative for a period of three (3) years from the date of final payment from County to Local Government Council.

VIII. STATUS OF PROJECT DOCUMENTS

All project documents produced under this Agreement shall become the property of the County upon project completion. The Local Government Council is entitled to permanently retain appropriate copies of all project documents for reference purposes.

IX. EFFECTIVE DATE

This Agreement is effective upon signature from both County and Local Government Council approved representatives.

X. INDEMNIFICATION

The Local Government Council agrees to indemnify, defend and hold harmless the County, its officers, agents and employees from any claims, damages and actions of any kind or nature, whether at law or in equity, arising from or caused by the use of any materials, goods or equipment of any kind or nature furnished by the county, provided that liability is not attributable to the negligence of the County or due to failure to use the materials, goods or equipment in the manner already and permanently described by the County on the materials, goods, equipment or services delivered. The County agrees to indemnify, defend and hold harmless the Local Government Council, its officers, agents and employees from any claims, damages and actions of any kind or nature, whether at law or in equity, arising from or caused by the County in any of its actions with third parties.

XI. CHANGES AND EXTENSION TO AGREEMENT

The County and the Local Government Council may agree in writing to modify or extend this Agreement, to include future administrative services associated with future Enhancement Grant Funding, at any time.

XII. CANCELLATION OF AGREEMENT

The County may terminate this Agreement, in part or in whole, without cause and without penalty, at any time upon sixty (60) days written notice to the Local Government Council. The Local Government Council may terminate this Agreement for cause only when the County is in breach of this Agreement, but must first afford the County a thirty (30) day period within which to cure such breach. Cause shall be determined to be failure of the County to comply with its responsibilities under the terms of this Agreement, or the failure to pay the Local Government Council in accordance with the financial arrangements contained herein. Any cancellation notice shall not relieve the parties of their obligations to perform all outstanding services which are to be performed in accordance with the terms of this Agreement prior to the effective date of cancellation. Further, all contract costs incurred in fulfillment of this Agreement done before written termination notice and contract termination shall be paid by the County to the Local Government Council. In the event of termination by either party, all finished and unfinished documents shall become the property of the County.

XIII. CERTIFICATION OF AGREEMENT

In Witness, each party hereto has caused this Agreement to be executed as of the day, month, and year first herein written.

APPOMATTOX COUNTY:

_____ _____
Date

_____
Title

_____ _____
Signature of Witness Date

VIRGINIA'S REGION 2000 LOCAL GOVERNMENT COUNCIL:

_____ _____
Date

_____
Title

_____ _____
Signature of Witness Date

Mr. Conrad made a motion to approve the Memorandum of Agreement between the County of Appomattox Country and the Virginia Region 2000 Local Government Council. Mr. Tanner seconded Mr. Conrad's motion. Hearing no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Conrad brought to Chairman Craft's attention that Administrative Item #6-Appointment to the Building and Fire Code Appeals Board had been skipped. Chairman Craft presented Administrative Item #6 and called for discussion.

Mr. Carter made a motion to re-appoint Mr. R.C. Stephens and Mr. Michael Barney for a three year term beginning January 1, 2009 to the Building and Fire Code Appeals Board. Mr. Conrad seconded Mr. Carter's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #8 – Transmittal of Project Administration Agreement and called for discussion. ***(Agreement is in the Board file-located in the County Administrators office)***

Mr. Tanner made a motion to approve the County Administrator to sign the Project Administration Agreement for the Appomattox Heritage Trial. Mr. Conrad seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Conrad, aye; Mr. Tanner, aye.

Chairman Craft explained that we have two additional items that need to be discussed at this time.

Chairman Craft presented Administrative Item #8A – Refund Request and called for discussion.

Mr. Carter made a motion to approve a refund in the amount of $775.28 to Bass and Milton Construction Company. Mr. Moore seconded Mr. Conrad's motion. Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented Administrative Item #8B- Emergency Action Plan for the Virginia Cooperative Extension office and called for discussion.

Mr. Spencer explained that this is being required by Virginia Tech for the Virginia Cooperative Extension Office.

Mr. Tanner stated that he would suggest that this be done for all the County Buildings and has it documented and also practiced.

Mr. Tanner made a motion to adopt the Emergency Action Plan as presented for the Virginia Cooperative Extension. Mr. Carter seconded Mr. Tanner's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Consent Agenda and called for discussion.

Approval of Minutes
October 27, 2008 – Joint Meeting with School Board
Approval of Bills
Supplemental Appropriations:
Board of Supervisors
Sheriff's Department
Animal Control
Library
Fund Transfers:
Sheriff's Asset Forfeiture Account
Line Item Transfer:
County Administration

Mr. Conrad made a motion to approve the Consent Agenda as submitted. Mr. Tanner seconded Mr. Conrad's motion. With no further discussion, Chairman Craft called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Craft presented the Information Items and called for any discussion. Hearing no discussion, Chairman Craft called for Supervisor Concerns.

Mr. Tanner stated that he would like to thank everyone for his first year and stated that he would like to wish everyone a Merry Christmas and a safe New Year.

Mr. Carter stated that he would like to thank everyone who was involved with the Community of Candles and continue to make this a success year after year. Those involved are: Ms. June Chenault; Ms. Anne Dixon; Ms. Shirley Wheeler; Mr. Bryan Baine; Ms. Francis Guill; Mr. Wayne Phelps; Mr. Bill Burke and Ms. Carolyn Davis.

Mr. Carter also stated we are all aware of the unfortunate termination of jobs at Thomasville this week due to the economy, and that we need to put forth our best efforts and to try to find something for these individuals which will help them to stay in Appomattox and raise their families.

Mr. Carter also questioned that if anything had come of the action items from the EDA meetings that were held in either October or November?

Mr. Spencer stated that the EDA has scheduled a meeting early in January to look over a draft presentation which he hopes to present to the Board during the Mid – January Board meeting.

Mr. Carter asked if there was any news on the four acre tract of land for the Museum of the Confederacy.

Mr. Craft stated that the last time he had spoken with Ms. Ferguson on this matter; she did not have any new information.

Mr. Craft stated that he would like to thank everyone for their cooperation and he appreciates the Boards dedication and he would also like to wish them a Merry Christmas and a Happy New Year.

Mr. Tanner made a motion to adjourn the meeting at 7:30 p.m. Mr. Carter seconded Mr. Tanner's motion. Hearing no further discussion, Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:30 p.m.

W. H. Craft

William H. Craft, Chairman

On Monday, January 5, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held their Organizational Meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT: Samuel E. Carter – Courthouse District
William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Ms. Ferguson called the organizational meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. and asked Mr. Carter to deliver the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Ms. Ferguson opened the floor for nominations for Board Chairman for 2009.

Mr. Craft nominated Mr. Thomas H. Conrad for Chairman of the Board of Supervisors; Mr. Tanner seconded Mr. Craft's nomination. Ms. Ferguson called for other nominations. Hearing no other nominations, Ms. Ferguson called for a motion to close the nominations for board chairman. Mr. Tanner made the motion to close nominations for board Chairman. Mr. Carter seconded Mr. Tanner's motion. Ms. Ferguson called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye. Ms. Ferguson then called for a vote on the motion to appoint Mr. Conrad as Chairman of the Board of Supervisors for 2009. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, abstain; Mr. Moore, aye; Mr. Tanner, aye.

Ms. Ferguson turned the meeting over to Chairman Conrad.

Chairman Conrad thanked fellow Board members for their confidence in nominating him for chairman and then nominated Mr. Tanner for Vice-Chairman.

Chairman Conrad called for a second to his motion in nominating Mr. Tanner for Vice-Chairman for 2009. Mr. Craft seconded the motion. Chairman Conrad called for discussion, hearing none; Chairman Conrad called for a vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, abstain.

Chairman Conrad congratulated Mr. Tanner on his nomination and asks if he had anything to say.

Mr. Tanner thanked fellow Board members for their confidence in him and stated that he looked forward to supporting them in the upcoming year. Mr. Tanner stated that he would be glad to

help in any area he is needed. Mr. Tanner also stated that during his first year on the board he felt it was a good learning experience and feels that he contributed some good for the county and he will try to continue to do so.

Chairman Conrad explained that the Board needed to adopt the rules and regulations for the New Year. Last year the Board adopted Roberts Rules of Order Newly Revised for small Board allowing the Chairman to make and second motions.

Chairman Conrad stated that he felt that these rules and regulations had served the Board well and he would now take discussion on this issue. Hearing no discussion, Mr. Carter made a motion to adopt the Robert Rules of Order Newly Revised. Mr. Craft seconded the motion. Vote: Mr. Craft, aye; Mr. Carter, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

It was the consensus of the Board that Ms. Ferguson would continue as the clerk of the Board for 2009.

Chairman Conrad called for the setting of meeting dates. Chairman Conrad explained that the enclosed calendar does not include two meeting dates that the Town of Appomattox has requested a joint meeting with the Board. Those two dates are January 27th and July 28th. Chairman Conrad asked the Board to consider this request.

Mr. Craft explained that the School Board has scheduled a Town meeting on January 27th and has invited the Board to attend. Mr. Craft feels the Board should support the School Board during this scheduled meeting. Mr. Craft suggested that the Board wait until the waterline has another meeting and schedule a date after that.

Mr. Conrad questioned Mr. Craft on if he would like to meet with the Town on the July date that was provided. Mr. Craft stated yes that he did not see any conflicts with that date.

Chairman Conrad stated that it was a suggestion that the Board continue with the July meeting and prior to that meeting if the Board feels they should not meet it would be discussed at that time.

Chairman Conrad questioned if the Board still wished to continue holding their meetings in the same meeting places as the previous year.

Mr. Craft stated that he would like to see the meetings continue as they had the previous year. He feels it is less work on employees to have meetings here in the County Administrator's office which stays set up and requires less work.

Mr. Carter stated that he would like to see all public meetings held at the Appomattox Community Center. Mr. Carter stated that he feels that workshops would be fine to hold in this meeting room but not public meetings.

Mr. Carter stated that there are several reasons as to why he feels that all the meetings should be held at the Community Center. Mr. Carter explained that the Community Center can hold more

volume and at times it is needed. Mr. Carter also stated that the County had purchased a sound system for the purpose of the Board meetings to enhance the audibility. Mr. Carter stated that the County Administration Meeting Room is fine, but he feels the Community Center is more suited for citizens to attend and it would better be for all to have all meeting in one meeting place.

Mr. Tanner stated that he understood both sides of this discussion, however he is not opposed to keeping the meeting places the same as we had in 2008.

Mr. Conrad stated that he is not opposed to keeping the meeting schedule the same as 2008 and has not noticed having a meeting in the County Administration Meeting room when all seats were utilized. Mr. Conrad stated that the meetings can be changed if the need arises.

Mr. Carter stated that he would like to be on the proactive not reactive side of this discussion and he would not like to wait until the room is full and then decide to move when we have ample room at the Community Center.

Mr. Overstreet stated that you will have to give seven days notice of moving your location or either start the meeting at the scheduled location and then move if the need arises.

Mr. Craft made a motion to adopt the meeting schedule as submitted which will keep the meeting place on the first Monday of each month at the County Administration Building and the third meeting of the month at the Community Center. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a vote: Mr. Carter, nay; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next called for the setting of the Agenda. Ms. Ferguson stated that she had one item to add to the agenda which will be an appearance by Mr. John Spencer who will give an update on Region 2000 efforts to extend broadband through-out the region.

Mr. Carter stated that he would also like to add to the agenda Well Drilling from other Government entities. Mr. Carter stated he would like the Board to discuss implementing an ordinance on this issue.

Ms. Ferguson stated that the subject of Well Drilling from other Government Entities will be Administrative Item #2A.

Mr. Carter stated the Board needed to back up to Instructing the Administrator and stated that he would like to see a joint meeting of the EDA, Planning Commission and the Board of Supervisors to discuss the planning and future of Appomattox County.

Mr. Carter also stated that he would like for the Board to start receiving copies of the EDA minutes when they are distributed to their members.

Chairman Conrad called for anyone who would like to speak during the time allotted for public comments. Having no one who wished to speak during public comment, Chairman Conrad

called on Mr. John Spencer, Assistant County Administrator to come and appear before the Board as scheduled.

Mr. Spencer stated that he was just informed late this afternoon that the News and Advance will be running an article on Region 2000 Broadband Initiative and felt he should give the Board a heads up on what this is about.

Mr. Spencer stated that in the last several weeks there has been a lot of talk about the economic stimulus package and one of the major points is Broadband particularly in the rural areas. This is one of President Elect Obamas main priorities and also Governor Kaine for the state as well. In preparation for this the Governor's office has asked the localities and various regional agencies to submit broadband projects to the Governor's office by December 17th. The Region 2000 Economic Development Council speculated numbers for project cost from an Amherst County study that was done recently and they have provided a scope of work to the state for a regional project broken down by County and City within the Region and that was submitted by the December 17th deadline. We do not know how much money will be coming from the Governor's office or when it will be coming. Mr. Spencer stated that he just wanted to make the Board aware of this project and hopefully we will be receiving some money for this.

Chairman Conrad called for any questions that the Board may have, hearing none, Chairman Conrad thanked Mr. Spencer for providing the Board with this information.

Chairman Conrad next presented Administrative Item #1 -Planning Commission Recommendation – Goodman Subdivision Waiver Request and called for discussion.

Chairman Conrad called on Mr. Roark to come and explain the options that have been given to Mr. Goodman.

Mr. Roark came forward and explained the different options that are available to Mr. Goodman without requiring a waiver of the subdivision ordinance. Mr. Roark explained that if Mr. Goodman tries to meet our ordinance today under these options you are taking a piece of property that is viable for future housing growth and rendering it useless, because all these options take away viability for future streets and future developments. Mr. Roark stated that the options will take the piece of property out of play for future development growth.

Chairman Conrad called for questions from the Board.

Mr. Craft stated that he has discussed this several times with Mr. Goodman and based on the conditions as presented he is in favor of granting a waiver.

Mr. Tanner stated that if you look at the three conditions to qualify for a waiver which is (a) unusual situation that creates a substantial injustice or hardship, (b) unreasonable burden is created by the minimum requirement, and (c) there is no substantial adverse effect on future residents nor adjoining property owners and based on what Mr. Roark has said about wanting it to stay close to the population instead of going out into the county again and developing, that he is very much in favor of this waiver.

Chairman Conrad stated that these subdivision ordinances are created to protect the community as you grow however there is no perfect situation to any one thing and as it is you are allowed room for these waivers under circumstance that would be less than desirable. Based on what Mr. Tanner has said these three qualifications for a waiver which point this out adamantly, but of course you can also state that you have this section in the subdivision ordinance which is there to protect. Mr. Conrad stated that he does not like overturning the Planning Commission decision and it is not good policy to create ways to give waivers. Chairman Conrad stated with all of this being said he is in favor of granting this waiver.

Chairman Conrad called for further discussion, hearing none; Mr. Craft made a motion to grant a waiver of the subdivision ordinance Section 6.3 Frontage on Improved Roads to Mr. Bobby Goodman with location being on the old Mays Farm located just outside of Town on Peach Street. Mr. Moore seconded Mr. Craft's motion. Hearing no further discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye,

Chairman Conrad presented Administrative Item #2 – Discussion on the Continued Development of the Community Recreation Park and called for discussion.

Ms. Ferguson stated that if anyone is interested they are more than welcome to review the plans which are located at the Community Center and at the County Administrator's office. Ms. Ferguson stated that Mr. Park Snead donated his time to draw these plans for the park. Ms. Ferguson stated that the proposed building is a two story building press box and a concession stand; however there has been some discussion that the building would not be tall enough to see one of the fields in the area. Ms. Ferguson stated that Mr. Jamerson has been up there and shot some elevations of his own and feels the building would be sufficient. Ms. Ferguson stated that she had been approached by the Youth Association and they would like to have funding to have another set of plans drawn up to make the building a three story building to make seeing of all the fields better and also give them some storage area in the lower section of the building. Ms. Ferguson stated that Ms. Dixon and she are wanting the Board to direct them in the manner that they would have them to go on this matter. Ms. Ferguson also stated that they have been working on getting water and sewer to this site and Mr. Fred Kruschwitz has donated many hours of architectural services on this so that funds that we have received can be used for infrastructure. Ms. Ferguson stated that there have been many people who have donated time and energy to this project.

Mr. Craft questioned what the cost estimates would be on a two story building versus a three story building.

Ms. Ferguson explained that it would cost approximately $2000 to get new plans drawn up and she has no idea of the cost of a three story building.

Mr. Conrad stated that a three story building would be a lot bigger structure and based on the submitted plans it would behoove the Board to study them more before making any decisions.

Mr. Tanner stated that he had looked at the plans submitted by Mr. Snead and feels he has done a good job and he feels that the Board needs to take some time and review to make a good decision.

Mr. Carter stated that the Youth Association is looking to construct a building that would be sufficient to hold a World Series type competition, which could be a project that the community could gain from. Mr. Carter stated that Mr. Kruschwitz had designed the field for this purpose.

Ms. Ferguson stated that Mr. Kruschwitz has looked at the plans and is comfortable with them. Ms. Ferguson stated that the Recreation Committee would like to have a building that will be reasonable and serviceable and meet the needs of the community, but not going overboard when you are asking citizens to donate towards this.

Ms. Ferguson stated that she needs guidance from the Board in what manner she should act.

Mr. Craft stated that he feels that the Youth Association visited other sites in communities that have more money available.

Ms. Ferguson stated that she did not mind contacting the Youth Association to see what their concerns are other than the height of the building and she will then get back with the Board on their concerns.

It was the consensus of the Board to table this until the next meeting.

Chairman Conrad stated that the next items for discussion are Administrative Item #2A – Well drilling of other government entities and called for discussion.

Mr. Carter stated that from the first water line committee meeting it was announced that the Town has more than an adequate supply of water by Mr. Williams. Mr. Carter stated that now the Town wants to go out and drill for wells in a couple of areas of the County and he feels that it is contradictory to what has been announced in these joint committee meetings. Mr. Carter stated that he feels the County needs to come up with a policy on other government agencies wanting to come into the Counties boundaries and drill for wells when it has been said that they have an adequate water supply.

Mr. Conrad stated that he agrees with Mr. Carter and this Board has been in favor for a long while to support this water line and if we agree to allow this drilling we are just prolonging the waterline.

Mr. Craft stated that he has concern of letting someone go next to a subdivision and drill wells which in turn will then cause that subdivisions wells to start going dry.

Mr. Overstreet stated that there are some statues on Towns expanding their water lines and facilities in the County and he will check into this.

It was the consensus of the Board to have Mr. Overstreet and Ms. Ferguson engage in an investigation to establish a policy on this.

Mr. Tanner stated that he is in full agreement with Mr. Carter in saying that we need to have a policy on this.

Chairman Conrad next presented the Consent Agenda and called for discussion.

CONSENT AGENDA
Approval of Bills
SUPPLEMENTAL APPROPRIATIONS:
County Administrator
Building and Housing
FUND TRANSFER:
Sports Complex Fund
LINE ITEM TRANSFER:
County Administrator

Hearing no discussion on the Consent Agenda, Mr. Carter made a motion to approve the Consent Agenda as submitted. Mr. Tanner seconded Mr. Carter's motion. Hearing no discussion, Chairman Conrad called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented the Information Items and called for discussion.

Hearing no discussion on the Informational Items, Chairman Conrad called for Supervisors Concerns.

Mr. Craft stated that he had received a call from Bryan David on the Regions 2000 Economic Development Board and Buddy Conner no longer wishes to serve on this committee. The Board will need to appoint someone to replace him; also, the Chairman or his designee serves on this Board. Mr. Craft stated that he had been serving on this committee and he is willing to continue serving. Mr. Carter made a motion that the Board appoint Mr. Craft to serve on the Region 2000 Economic Development Board. Mr. Tanner seconded Mr. Carter's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Carter stated that if the Board was going to continue meeting in the County Administration Building could it be possible to move the table so that the Board is facing the audience.

Ms. Ferguson stated that she would check into this.

Mr. Tanner asked the Board to keep the Mawyer family in their thoughts and prayers after the tragic hunting accident this weekend.

Mr. Conrad stated that we are all aware of the extreme budget decisions that are going to need to be made this year and we all knew this was coming, however, he feels that this water line is something that needs to be placed at the top of our priority list. Mr. Conrad stated that we need to make this happen as soon as possible.

Mr. Moore stated that he is in agreement with Mr. Conrad's statement.

Mr. Carter stated that he agrees with this statement and also along with that statement he feels that the economic development coordinator goes hand in hand with this.

Mr. Tanner stated that he agrees with both of these statements and they both go hand in hand and he hopes the Town will join in but if not the Board will need to go forward with this water line project.

Mr. Craft stated that we are committed to Campbell County and we have got to do something.

Chairman Conrad stated that the next item would be to enter into a closed session in accordance with Section 2.2-3711(A)(3) Code of Virginia: Acquisition and disposition of property.

Mr. Overstreet added the property identification as a four acre tract which is adjoining the property the Town has agreed to purchase for the Historical Museum of the Confederacy.

Mr. Craft made a motion to enter into closed session at 7:30 p. m. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Carter made a motion to return to open session and enter back into the regular meeting at 8:05 p.m. Mr. Craft seconded Mr. Carter's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad read the certification motion for the Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.

ROLL CALL VOTE: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner; aye

Mr. Craft made a motion to adjourn the meeting at 8:07 p.m. Mr. Moore seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 8:07 p.m.

Thomas H. Conrad, Chairman

On Monday, January 20, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held its regular scheduled meeting at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: Thomas H. Conrad -Chairman – Falling River District
Gary W. Tanner-Vice Chairman– Stonewall District
Samuel E. Carter – Appomattox Courthouse District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting to order at 6:30 p.m. and called on Mr. Craft to deliver the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Ms. Ferguson stated that Mr. Fred Godsey had been added to the agenda under appearances at 7:30 to present the revised Emergency Operation Plan and a resolution will need to be adopted to accept the plan as revised. Mrs. Ferguson stated that item 9-A on the additional items will need to be removed from the agenda. Mr. Carter questioned additional item 9-A as to why it was being removed. Chairman Conrad explained that this item did not need to be approved by the Board tonight, the Board would need to ask someone to serve in this capacity then Central Virginia Area Agency's Board of Directors will appoint.

Chairman Conrad next called for public comment.

Mrs. Nina Beasley came before the Board and stated her address as 4905 Pumping Station Road, Appomattox, Virginia 24522.

Ms. Beasley stated that she was here to speak in support of the Board of Supervisors proposal to hire a full time Economic Development Director. Ms. Beasley stated that with the recent layoff at Thomasville Furniture, now is the time more than ever to hire this person. Ms. Beasley stated that Appomattox County needs to enhance their tax base and this cannot be done if we are losing businesses. Ms. Beasley stated that there are three things that go hand in hand which is, number one, the county needs to attract businesses for the industrial park, second we need a reliable water source to benefit citizens, business and industry and third the County needs a full time Economic Development Director to enhance the tax base by attracting new business and industry. Ms. Beasley stated that this ultimately will benefit every citizen in Appomattox County by lowering taxes. Ms. Beasley stated that the time for decisive action is now. Ms. Beasley thanked the Board for allowing her to speak.

Chairman Conrad thanked Ms. Beasley and called for other public comments.

Hearing no other public comments, Chairman Conrad called on Ms. Anne Wall with Robinson Farmer and Cox to come and appear before the Board. Chairman Conrad explained that Ms. Wall is here to present the FY2008 audit report and to answer any questions that the Board may have.

Ms. Wall thanked the Board for allowing her to appear to present the Counties annual financial report for the year ended June 30, 2008.

Ms. Wall stated that this report had been submitted to the auditor of public accounts to be put in the comparative cost report by the November 30th dead line. Ms. Wall stated that the layout of the report is the same as it has been for the past five years.

Ms. Wall stated that the County's General Fund Balance has declined since last reported in 2007 by $94,000.00.

Ms. Wall reported that the County Staff assisted them while they were getting the needed information for this audit report and all staff was very helpful to the Robinson Farmer Cox staff which made it a lot easier for them to work and they do appreciate that.

Ms. Wall reported that only three audit adjustments were needed and the staff should be commended on making this happen.

Ms. Wall stated that she would email the final copy of the audit report for posting on the website and also for anyone who would like an electronic copy of the report.

Ms. Wall called for any questions that the Board may have, hearing no questions Chairman Conrad thanked Ms. Wall for her report.

Chairman Conrad next called on Mr. James A. Conner representing the Economic Development Authority to come and appear before the Board. Chairman Conrad thanked Mr. Conner and the EDA for the work that had been done on the presentation and stated that the Board now looked forward to seeing this presentation.

Mr. Conner came forward and stated that he is representing the EDA at tonight's meeting with most of the EDA being in attendance. Mr. Conner stated that the EDA appreciates the opportunity to present this power point presentation and is also pleased to provide the following information which they feel will assist the Board in the decision making process.

Mr. Conner stated that the EDA recognizes the difficulty in the current economic condition. Mr. Conner stated that he feels the timing is appropriate for consideration of an Economic Development Coordinator. Mr. Conner provided a handout of a draft position profile for each Board member. Mr. Conner stated that this is a draft and it can be changed anyway the Board should see fit, but this draft is what the EDA believes are the requirements for advertising and hiring an economic development person.

Mr. Conner stated that the request that was given to the EDA was to provide input on the qualifications of a full time economic development coordinator. Mr. Conner stated that they have tried to identify the strengths and weaknesses and also tried to answer what they thought were the tough questions.

Mr. Conner stated that the primary reason that Appomattox County has been overlooked by prospects is due to the infrastructure not being in place in the Industrial Park.

Mr. Conner stated that the EDA focused on what we should be doing to move forward and looked at other programs to see how they were working and what the EDA felt were similar localities to Appomattox County. Those factors include demographic and comparable environment which are similar roads no interstate and mostly rural. The reason this was done was because there has been a lot of concern of what results will be achieved in hiring a full time economic development coordinator. Mr. Conner stated that if you look at the facts that have been presented you will find that every County that has a full time economic development coordinator has added industry and jobs to those counties in the last couple of years. Mr. Conner stated that a lot of jobs have been provided in similar counties with an economic development coordinator.

Mr. Conner stated that the EDA believes that when you make the decision to hire a full time economic development employee that you should commit to a long term budget for that individual to become successful.

Mr. Conner stated in closing that the EDA believes that this position requires experience and believes with compassion that the benefit will arise in the County.

Mr. Conner also stated in his closing thoughts that objective evidence demonstrates a county commitment to an economic development director and will work when combined with sound infrastructure. The infrastructure is moving closer and improvements are underway. Mr. Conner

stated that we have the park, a world-class broadband, 3-phase power, public water and sewage, and commitment to the 460 corridor waterline and the remaining piece is someone to market it and tell the story.

Mr. Conner thanked the Board for allowing him to speak on behalf of the EDA and then called for any questions that the Board may have.

Mr. Carter questioned the salary on the draft saying "to be determined" and wanted to know how the EDA came up with that determination.

Mr. Conner stated that due to the economy the EDA decided to let the Board decide on the salary range.

Mr. Carter stated that he was questioning this due to the Board has already voted on a salary range and Mr. Conner stated that the EDA felt that this was a Board decision.

Mr. Carter next questioned if there was any data provided from Prince Edward County or Charlotte County in regards to their economic development coordinator.

Mr. Spencer stated that the EDA had asked the VEDP who were the comparable counties with Appomattox County and they came up with the Counties that were given. Mr. Spencer stated that Region 2000 added Amherst at our request.

Mr. Conner stated that we can get that information if he feels that it is necessary for comparison.

Mr. Carter stated that he felt the Board should have the figures from neighboring counties.

Mr. Conner stated that we stayed away from projecting what the revenues would be because all counties calculate things in a different way.

Mr. Carter stated that on a positive end he commended the EDA on the presentation and stated it was a job well done and also stated that he appreciated the joint meetings that had been held.

Mr. Tanner stated that he felt it was well put together and well presented.

Chairman Conrad stated that this will be a lot of useful information that will help when working with the budget.

Mr. Conner stated that they found that several counties eliminated the Economic Development Coordinator and found it to be a mistake and went back and rehired them.

Mr. Craft stated that he feels if we use Prince Edward County you will be getting false numbers due to them having two colleges.

Chairman Conrad stated that the examples used were picked due to the demographics that resembled Appomattox County as closely as possible.

Chairman Conrad thanked Mr. Conner and then called on Mr. Fred Godsey to appear before the Board to present the revised Emergency Operations Plan and answer any questions that the Board may have. Chairman Conrad stated that Mr. Godsey would be asking the Board to adopt a resolution to adopt the revised Emergency Operation Plan as submitted.

Mr. Godsey stated that he has two reasons to appear before the Board one being to present the revised Emergency Operations Plan for the Board's adoption and second to answer any concerns or questions that the Board may have on the revisions that have been made.

Mr. Tanner stated that he feels Mr. Godsey had done an excellent job on this plan and feels it has been done in a very professional manner.

Mr. Craft stated that he also feels it is excellent and is sure that a lot of time has been spent on this project.

Mr. Carter stated that he had not read the entire plan but in what he has read feels it is an excellent plan.

Chairman Conrad stated that this plan is excellent and seems to cover most any emergency concern that the County may have, and it is always good to be prepared.

Mr. Craft stated that the pipeline explosion is an excellent example of a good emergency operation plan.

Mr. Godsey stated that this plan will need to be updated and adopted every four years.

Resolution
Emergency Operations Plan

WHEREAS the Board of Supervisors of Appomattox County, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS Appomattox County has a responsibility to provide for the safety and well being of its citizens and visitors; and

WHEREAS Appomattox County has established and appointed a Director, Deputy Director and Coordinator of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Appomattox County, Virginia, this Emergency Operations Plan as revised is officially adopted, and

IT IS FURTHER RESOLVED AND ORDERED that the Director of Emergency Management, or his/her designee, are tasked and authorized to maintain and revise as necessary this document over the next four (4) year period or until such time be ordered to come before this Board.

Mr. Craft made a motion to adopt the Emergency Operations Plan as revised. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing no further discussion Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #1 – Jet Broadband Cable Television Rates and New Produce Offerings and Services and called for any discussion.

Mr. Conrad ask Ms. Ferguson to contact Mr. Barbour and ask him to come to a February meeting to discuss jet broadband and to also answer any questions that the Board may have.

Chairman Conrad next presented Administrative Item #2 – Change order to JE Jamerson Contract for CVCC project and called for discussion.

Mr. Craft ask if this would be a continuation. Ms. Ferguson stated that it would be just the hallway, refreshing it up to make it look nicer and look like the existing hall in CVCC.

Mr. Tanner made a motion to accept the proposal to authorize work to be completed but not to exceed the $31,720.00. Mr. Moore seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #3 – Request for roof replacement at CVCC and called for discussion.

Chairman Conrad explained that the money is available for this project and the roof is in need of replacement.

Mr. Craft stated that the longer we wait the more it is going to cost.

Mr. Carter asked Ms. Ferguson where the gentlemen was, who was going to repair the roof at little or no cost. Ms. Ferguson stated that he is still saying that he will repair the roof but that was only over the gym, not this section of the school.

Mr. Craft made a motion for authorization to be given to seek bids on replacing the roof on the remainder of the 1960's section of the Carver Price Educational Complex. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #4 – Concession stand and bathroom at Community Park and called for discussion.

Ms. Ferguson stated that in the meeting when plans were presented Mr. Perkins was not happy about the height of the building. Ms. Ferguson stated that when she contacted Mr. Perkins and asked him what other concerns he may have with the plans, he stated that he had not looked at

the plans any further. Ms. Ferguson stated that she has a copy of Mr. Park Sneads plans with comments from Mr. Jamerson and the Building Inspector.

Chairman Conrad stated that both gentlemen, Mr. Jamerson and Mr. Hamlett, feel the plans submitted by Mr. Snead are adequate for the park.

Mr. Conrad asked the Board where they want to go from here, if the plans are adequate, if you are going to draw more plans it will be more money.

Ms. Ferguson stated that Mr. Perkins had mentioned the World Series to Mr. Carter as being the problem, so Ms. Dixon has looked into this and this building would, with a few minor changes, meet the standards for holding the World Series.

Mr. Tanner stated that he had made a call today and the height problem could be fixed with adjusting the elevation which would not require a taller building. Mr. Tanner stated that Mr. Snead had done an excellent job on these plans and feels he should be commended.

Chairman Conrad presented Administrative Item #5 – Habitat for Humanity building permit and called for discussion.

Mr. Carter made a motion to approve the request to waive building permit fees for house number 15 for the Habitat of Humanity. Mr. Moore seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #6 – Drought response and water conservation measures and called for discussion.

Mr. Moore made a motion to set a public hearing for February 17th, 2009 at 6:00 P.M. to receive comment on proposed Drought Response and Water Conservation Measures for Appomattox County. Mr. Craft seconded Mr. Moore's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #7 – Region 2000 Services Authority Solid Waste Management Plan and called for discussion.

Mr. Craft made a motion to schedule a public hearing for February 17th, 2009 at 6:15 P.M. to receive comment on the proposed regional solid waste management plan. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#8- 460 Waterline Project and called for discussion.

Mr. Tanner stated that he would like to see closure to this and feels that everyone would benefit from this. Mr. Tanner stated that the waterline is crucial to Appomattox County.

Mr. Carter stated that Ms. Beasley has hit the nail on the head tonight in the waterline and economic development coordinator goes hand in hand. Mr. Carter stated that we are going in the right direction and it is now time to move on.

Mr. Moore stated that he agrees with Mr. Carter and we should move along with the waterline.

Mr. Craft stated that we have committed to Campbell County and we need to stay with our commitment.

Chairman Conrad stated that we are in the 21st Century and we as a County are pursuing to compete and grow. Business and services are a benefit to everyone and businesses are not going to come here without the waterline.

Mr. Conrad stated that we need to move forward with this project.

Mr. Tanner stated that he appreciated the comments and the unity of this Board.

Mr. Tanner made a motion to start the next stage of the development of the waterline and to instruct the County Administrator to collect information so we can look into the creation of a public services authority.

Chairman Conrad stated that adding to the motion he feels it needs to be more pointed and need to say to get out a RFP for design and development of this waterline and get the information so that we continue to move forward.

Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #9 -Joint meeting with EDA and Planning Commission and called for discussion.

Ms. Ferguson stated that it had been discussed having a half day session on a Saturday to talk about a vision with the County and Board. Ms. Ferguson stated that as soon as she has been given some dates from Mr. Roark and Mr. Spencer she would bring them to the Board.

Chairman Conrad presented the Consent Agenda and called for discussion.

CONSENT AGENDA
Approval of Minutes
December 1, 2008 – Regular Schedule Meeting
December 2, 2008 – Joint Meeting with School Board
December 15, 2008 – Joint Meeting with Extension Office

December 15, 2008 – Regular Scheduled Meeting
January 5, 2009 – Organizational Meeting

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:
Board of Supervisors
supplement by consent and appropriate $853.54 to 1101-2006 Blue Cross Blue Shield for reimbursement received from employees.

Clerk of the Circuit Court
supplement by consent and appropriate $2,000.00 to 2106-3010-Hosting Fee Remote Access Land Record. This will be reimbursed from the Technology Trust Funds.

Animal Control
supplement by consent and appropriate $75.00 to 3501-5402 Food in the Animal Wardens budget for donations received.

E911
supplement by consent and appropriate $1190.00 to 3606-3002 Professional Services for reimbursement received for overpayment to Timmons.

Refuse Disposal
supplement by consent and appropriate $541.50 to 4204-3005 Maintenance Service Contracts (scales) for reimbursement received from Emanuel Tire.

Library
supplement by consent and appropriate $654.69 to the following line items in the Library budget:

7301-5401 Office Supplies	$410.92
7301-5411 Books	172.05
7301-5414 Pamplin	71.72

FUND TRANSFERS:
Sports Complex Fund (Community Park Fund)
transfer $1250.00 from the Sports Complex Fund to pay for field work at the Community Park.

Courthouse Maintenance Fund
transfer $959.32 from Courthouse Maintenance Fund to 4302-7010 to pay for repairs to the security system in the Courthouse.

Mr. Craft made a motion to approve the Consent Agenda as submitted. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Information Items and called for discussion.

Chairman Conrad called for Supervisor Concerns.

Mr. Carter stated that he has several issues to bring before the Board. Mr. Carter began by stating that an investment must be made which a full time economic development director will accomplish by recruiting new business and retaining existing businesses which will in turn enhance the County tax base and reduce the burden that each of us as citizens feel.

Mr. Carter asked the status of the GIS update that is being worked on with Timmons.

Ms. Ferguson stated that the process is moving along, but she is not sure at what point they are at.

Mr. Carter next asked if there was any feedback from the Commissioner of Revenue on land use and if not when we might be hearing from Ms. Henderson on this.

Ms. Ferguson stated that she had not received any information from the Commissioner of Revenue at this time but she would have to provide the Board with estimates by early spring to begin work on the FY2010 budget, however she is not sure that anything will be given before this time.

Mr. Carter stated that Chairman Conrad had stated he would make a visit to Congressman Perriello's office and maybe a delegation can follow suit after the initial visit has been made. Mr. Carter stated that maybe we could get members from the EDA, Chamber of Commerce, and School Board to make a visit after the first initial visit by Mr. Conrad.

Mr. Tanner stated that he agrees with Mr. Carter and the visit with Congressman Perriello needs to be made.

Chairman Conrad stated that the next item for discussion would be a closed session which would be in accordance with Section 2.2-3711(A) (3) Code of Virginia which is discussion of acquisition and disposition of property.

Mr. Overstreet explained that the land that would be discussed under 2.2 3711(A) (3) -would be identified for discussion as the property for the Museum of the Confederacy.

Mr. Overstreet also stated that code section 2.2-3711 (A) (7) states consultation with legal council. Mr. Overstreet stated the he would be acting as the Boards legal council. Mr. Overstreet stated that he would like to mention that this is specifically is relating to authority of this Board, which is already established, concerning the water supply system by other localities such as the County of Appomattox and the Town of Appomattox.

Mr. Craft made a motion to enter into closed session at 7:43 p.m. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Craft made a motion to enter back into regular session at 8:20 p.m. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad read the certification motion for the Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.

ROLL CALL VOTE: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner; aye

Ms. Ferguson stated that in the certification motion the code section should read as Code Section 2.2-3712 (D) and it will be changed and he will be given a corrected copy for the next meeting.

Mr. Conrad mentioned the upcoming meetings.

Mr. Tanner made a motion to adjourn the meeting at 8:22 p.m. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 8:22 p.m.

Thomas H. Conrad, Chairman

On Monday, February 2, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT:	William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
ABSENT:	Samuel E. Carter – Appomattox Courthouse District-(Illness)
ALSO PRESENT:	Aileen T. Ferguson - County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. and asked Mr. Tanner to deliver the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda, having no additional items for the agenda Chairman Conrad called for public comment.

Having no public comment Chairman Conrad called on Mr. Bobby Wingfield to appear before the Board as scheduled to discuss a proposal from Roam Secure Inc. for an Emergency Notification System (Reverse 911).

Mr. Wingfield came forward and explained that basically the Emergency Notification System is a reverse 911 notification that a lot of other communities have at this time. Mr. Wingfield explained that this system will enable his office to get a message out to the public quickly.

Mr. Wingfield explained that this system is a hosted web based system that would not require the purchase of any computers, hardware or contracts.

Mr. Wingfield explained that Roam Secure currently has a contract with the State of Virginia where they do all of Virginia Department of Emergency Management, State Police and State agencies which means it is a blanket contract with the State, so under procurement, which has been approved by Mr. Overstreet would mean that we would not have to go out to bid for this program.

Mr. Wingfield explained that he had received a grant in the amount of fifty thousand dollars that will pay for this program for the first two years. Mr. Wingfield explained that in the third year a payment of $7,500 would need to be paid by the County.

Ms. Ferguson asked Mr. Wingfield to explain to the Board how this program will work and to give an example of how this program was going to be used.

Mr. Wingfield used the pipeline for an example and explained that there was a lot of confusion during the neighborhood evacuation. With this program his office would have been able to predetermine the road or the blanket area in the computer and call the residents that would need to be evacuated. Mr. Wingfield explained that during the pipeline explosion they would have been able to immediately call the affected area and we could have also sent a blanket message to the entire county to verify the accident and it would have helped keeping the rumors down. Mr. Wingfield explained that this program is similar to the school systems program.

Mr. Wingfield stated that he had talked with Mr. Perrow about bringing the school board on this program, but was told that their program was so detailed with the SASSY accountability program that it would be a huge undertaking, but it is something that will possibly be looked into at a later date.

Chairman Conrad called for questions from the Board.

Mr. Craft questioned if it would cost more to have the school come onto our system. Mr. Wingfield explained that it should not cost any more due to the size of the community, however what would cost more would be the amount of minutes, but he has added extra minutes in the contract and there are very few notifications that will be sent out.

Mr. Conrad asked when this would take effect. Mr. Wingfield stated that this could be in effect within a month.

Mr. Tanner made a motion to accept the contract with Roam Secure Inc. for Emergency Notification System (Reverse 911). Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion from the Board, hearing none, he called for a vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented Administrative Item# 1 – Request from VACo for Resolution on the Proposed State Budget. Chairman Conrad called for discussion on the enclosed resolution.

Mr. Craft stated that if we were going to have mandates we need the money to go with them. Chairman Conrad agreed with this comment and stated that this was being proposed within the resolution.

Chairman Conrad stated that this document can be approved with some minor changes that they feel are relevant to the County.

Mr. Craft stated that the increase in sales tax would be hard to handle. Ms. Ferguson stated that it would be collected at state level and then sent back to the localities which are how they do it now.

Mr. Craft made a motion to accept the resolution on the proposed state budget. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for further discussion, hearing none, he called for a vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Resolution

Whereas, Appomattox County is committed to ensuring fiscal sustainability at the local and state levels of government because fiscal sustainability enables the Commonwealth and its local governments to provide high quality, cost effective, core public services that benefit Virginians today and for generations to come; and

Whereas, the current difficult economic and financial times require government, at all levels, to evaluate service delivery responsibility and to determine the continued importance of programs meeting critical needs; and

Whereas, the Commonwealth must resolve an estimated 2009 and 2010 biennial revenue shortfall approaching $3 billion that may in fact continue to escalate in the near term; and

Whereas, Appomattox County must resolve significant local revenue shortfalls for these periods as well; and

Whereas, the Commonwealth's General Fund supports most critical core government services including public education, health and human resources, including the Comprehensive Services Act, public safety, natural resources and environmental services by dedicating almost 50 percent of the state's General Fund to local governments (with 74 percent of this funding supporting K-12 public education); and

Whereas, if one level of government establishes and ensures a priority, it is then incumbent upon that level of government to adequately fund the services necessary to meet that priority; and

Whereas, the current economic environment threatens the sustainability of these critical core public services if the Commonwealth is required to reduce its contribution to the financial partnership between the state and its local governments including Appomattox County; and

Whereas, specific and necessary state budget reductions may impact a wide array of core public services, including but not limited to public education, the Comprehensive Service Act, and public safety, and many local governments, including Appomattox County, will absorb significant state reductions in 2009 and may be compelled to increase real property taxes to help ensure the continuation of vital core public services; and

Whereas, Appomattox County stands ready to partner with the Commonwealth to make the difficult budgetary decisions required, including thoroughly evaluating programs and working together to maintain a structural balance between revenues and expenditures that promotes the long-term viability of our Commonwealth.

Now, therefore, be it resolved that the Board of Supervisors of Appomattox County respectfully offers the following budget and revenue recommendations for the 2009 legislative session to the Governor and Virginia General Assembly including Appomattox County's Delegates and Senators:

- Budget and appropriate sufficient withdrawals from the state's Revenue Stabilization Fund ("Rainy Day Fund") to help offset necessary state budget reductions. Global and national financial markets are imbalances; consequently, Virginia is one of many states facing a significant state revenue shortfall. The Commonwealth is required to replenish the Fund when economic conditions improve, and Appomattox County supports recapitalizing the Fund in better economic times.

- Before budgeting and appropriating necessary state budget reductions, revisit recent state tax exemptions. Since the late 1990s the state has enacted more than $1.8 billion in net biennial tax reductions and specific General Fund transfers.

- Oppose the enactment of new unfunded and under-funded state mandates that will impose new cost on local governments. Additionally, consider repealing specific, unfunded and under-funded state mandates. In the area of public education, the Governor and Virginia General Assembly should consider providing localities and school districts maximum flexibility to i) suspend specific mandates and ii) manage specific public education reductions.

- Enact a law authorizing equal taxing authority for counties. Counties should be enabled, like cities and towns, to institute specific taxes, including a meals tax without a referendum. The new sources of revenue would be tailored to the needs of a jurisdiction and could help local governments protect adequate funding for the core government services including K-12 public education, and reduce county dependence on property taxes.

- Consider additional possibilities for mitigating the impact of state cuts on local governments. Local governments will have to make significant cuts in services because of flat or decreasing real estate revenues. Permit local governments, at their option, to implement a one-half percent increase in the sales tax as a way to minimize the potential burden passed on to homeowners through increased real property taxes.

Furthermore, Appomattox County offers these recommendations in the spirit of compromise and partnership to the Governor and Virginia General Assembly including Appomattox County's Delegates and Senators.

Adopted by the Appomattox County Board on Supervisors at their regular scheduled meeting of February 2, 2009. Vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye

Chairman Conrad presented Administrative Item #2 – VDOT Property Return Request and called for discussion.

Ms. Ferguson stated that no action was necessary from the Board it was just a notification process. Ms. Ferguson stated that basically VDOT tries to make the Board aware of any changes to roads or when they plan to abandon parts of a right of way. Ms. Ferguson stated that in the past the Board would have to approve these changes, but in recent years legislation has changed and now the changes are made by resolution, so basically they are notifying the Board and giving the Board the chance to ask any questions that they may have. Ms. Ferguson stated that if the Board should have any questions she would be glad to contact VDOT and get an answer.

Chairman Conrad next presented Administrative Item #3- Mt. Obed Baptist Church Dedication and explained that this was an invitation to the Board and if any member could attend this to let Ms. Ferguson know and she will contact Mr. Gilbert and give him a count of who will be attending.

Chairman Conrad next presented the Consent Agenda and called for any questions or concerns as presented.

CONSENT AGENDA

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS
Virginia Sexual and Domestic Violence Victim Fund Grant
supplement by consent and appropriate $40,000.00 to the following line items in the Commonwealth's Attorney budget for funding received for 2009:

2202-1003 Part time Salaries	$37,150.00
2202-2001 FICA	2,845.00
2202-2009 Unemployment Ins.	5.00

Sheriff's Department
supplement by consent and appropriate the following to the Sheriff's budget:

3102-1002 Overtime	$76.20 (Reimbursed from ACMS)
3102-2001 FICA	6.31 (Reimbursed from ACMS)
3102-3013 OSHA Mandates	20.00 (Reimbursed by Individual)
3106-5401 Office Supplies	613.00 (Requires additional funds)

Mr. Tanner made a motion to accept the Consent Agenda as presented. Mr. Moore seconded Mr. Tanner's motion. Chairman Conrad called for any discussion, hearing none, he called for a Roll Call Vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Informational Items and called for any discussion, hearing no discussion he called for Supervisors Concerns.

With no Supervisor concerns Chairman Conrad stated that the next item would be to enter into closed session in accordance with Section 2.2-3711 (A) (3) Code of Virginia: Acquisition and disposition of property.

Chairman Conrad stated that the acquisition would be discussion of property for the Museum of the Confederacy.

Mr. Tanner made a motion to enter into closed session at 6:50 p.m. Mr. Craft seconded Mr. Tanner's motion to enter into closed session. Chairman Conrad called for a vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Craft made a motion to return to regular session at 7:00 p.m. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion Chairman Conrad called for a vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad read the certification motion for the Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 (A)(3)of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.
Roll Call Vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Ms. Ferguson stated that there are four bid proposals out that she would like to make the Board aware of. The first is the closure of cell I, 2) engineering services for water line 3) Old Oakville School Demolition and 4) grass mowing contract.

Ms. Ferguson stated that those who will be attending Legislative Day will be leaving from the County Administration Building at 8:30 A.M.

Chairman Conrad next presented the upcoming meetings.

Mr. Craft made a motion to adjourn the regular scheduled meeting at 7:05 p.m. Mr. Tanner seconded Mr. Craft's motion. Hearing no further discussion, Chairman Conrad called for a vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:05 p.m.

Thomas H. Conrad, Chairman

On Tuesday, February 17, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:

Board of Supervisors
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present:

Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant
Johnnie Roark - Planner

Chairman Conrad called the public hearing to order at 6:00 p.m. and explained that the purpose of this public hearing would be to receive public comment on the proposed Drought Response and Water Conservation Measure Ordinance.

Chairman Conrad asked Mr. Roark to appear before the Board to give an explanation of the proposed ordinance.

Mr. Roark stated that this is the next step of the regional water supply plan and the draft will be submitted in the spring. Mr. Roark stated that the final plan is scheduled to be submitted in the fall of this year. Mr. Roark explained that every community will have to adopt a drought ordinance and this is ours. Mr. Roark continued that this will give the County Administrator the ability to limit water usage during times of water emergencies. Mr. Roark stated that there are different levels of criteria that are set out in a separate document which Ms. Ferguson has a copy of if anyone would like to review. The two gages are located at Bent Creek and the well at the State Forest and those will be the two main gages as to when we will go into these drought stages.

Mr. Roark stated that Draper Aden had worked with Region 2000 to put this plan together and they have been working on this since 2006 and a lot of work has been put into this plan.

Chairman Conrad called for citizen comments, hearing none; Chairman Conrad closed the public hearing at 6:07 P.M.

Thomas H. Conrad, Chairman

On Tuesday, February 17, 2009 at 6:15 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:	**Board of Supervisors** William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant Johnnie Roark - Planner

Chairman Conrad called the public hearing to order at 6:15 p.m. and explained that the purpose of this public hearing would be to receive public comment on the Regional Solid Waste Management Plan.

Chairman Conrad asked Mr. Clark Gibson to appear before the Board.

Mr. Gibson thanked the Board for allowing him to appear before them and began by stating that on July 1, 2008 Campbell County, City of Bedford, Nelson County, City of Lynchburg and Appomattox County partnered together to form the Region 2000 Services Authority. Mr. Gibson stated that this was done to increase the efficiencies and to lower cost to our members for solid waste disposal. Mr. Gibson stated that another important reason is to better protect human health and the environment. Mr. Gibson stated that the County also will benefit from being able to participate in the Regional Solid Waste Plan which is required by DEQ.

Mr. Gibson thanked the Board for their support and being a member of the authority. Mr. Gibson stated that operations started on July 1st and they have had a very successful beginning.

Chairman Conrad called for public comment, hearing none; he closed the public hearing at 6:20 p.m.

Thomas H. Conrad, Chairman

On Tuesday, February 17, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox Virginia.

PRESENT: Samuel E. Carter – Appomattox Courthouse District
William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. and asked Mr. Carter to deliver the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Added to the agenda was Administrative Item #7A – Engineering and Design Services; Administrative Item #7-B – Oakville School Demolition; and Informational Item #15A – Department Report for Assistant County Administrator.

Chairman Conrad next called for citizen public comment.

Hearing no public comment, Chairman Conrad presented Administrative Item#1- Drought Response and Water Conservation Measures and called for comment from the Board.

Mr. Craft made a motion to adopt the Drought Response and Water Conservation Measures as submitted. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad

called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #2 – Solid Waste Management Plan and called for discussion.

There being no discussion, Chairman Conrad called for a motion. Mr. Tanner made a motion to adopt the Solid Waste Management Plan as submitted. Mr. Craft seconded Mr. Tanner's motion. Hearing no further discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented Administrative Item #3 –Letter of Support for Step Inc. and explained that Sharon Harrup from STEPS Inc. is requesting that the Board write a letter in support of an appropriation from the federal government to help replace the roof on their facility. Chairman Conrad called for discussion from the Board.

Mr. Carter stated that he was in agreement with this request.

Chairman Conrad stated that he would like to point out that this Board may need to be concerned because we are requesting an appropriation for the water line.

Mr. Craft stated that they are just asking the Board to write a letter supporting their request.

Mr. Craft made a motion requesting the County Administrator write a letter in support of STEPS Inc, receiving an appropriation to help repair the roof of their facility. Mr. Carter seconded Mr. Craft's motion. Hearing no further comment, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item # 4 – Complete Count Committee and called for discussion from the Board.

Mr. Carter stated that this is a very important tool to help the County in obtaining grants and also help in areas of education and commerce. Mr. Carter stated that the information given is very extensive language, but feels that it is something the Board needs to endorse.

Mr. Craft stated that he did not feel everything that is stated in this material needs to be done that maybe we could choose what we feel would be necessary.

Chairman Conrad stated that this information could be looked at in different ways depending upon the county in which you live in. Some of your larger counties with a more diverse population would certainly dictate a different approach than what we are looking at. Mr. Conrad stated that there is always going to be a segment of the population that does not want to be counted and we need to do all that we can to be sure that

everyone is counted. Mr. Conrad stated that maybe we could consider tabling this to study it further and then review at the next meeting.

Ms. Ferguson stated that she would try to go through all the given material and pull out the information that is pertinent to Appomattox and if the Board would pull out what they feel is important maybe we can down size this material.

It was the consensus of the Board to table this item until the next Board meeting.

Chairman Conrad presented Administrative Item #5 – Soil and Erosion Control Permit Refund Request and called for discussion.

Mr. Carter made a motion to refund Mr. Keith Torrence in the amount of $85.00 for a duplicated Soil and Erosion Permit. Mr. Moore seconded Mr. Carter's motion. Chairman Conrad called for further discussion, hearing no other comments, Chairman Conrad called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #6 – Gladstone Volunteer Fire Department presented their call information for the year of 2008 and also requested an Appomattox representative to serve on the Gladstone Volunteer Fire Department Board of Directors.

Mr. Moore stated that he has been unsuccessful in finding someone to serve on the Gladstone Volunteer Fire Department Board of Directors.

Mr. Tanner stated that he had offered his help in finding someone to serve in this capacity. Mr. Tanner stated that the Gladstone Volunteer Fire Department is a very good organization and they play a vital role in fire suppression that is greatly needed in that area of the County. Mr. Tanner stated that he and Mr. Moore would continue to look for someone that is willing to serve in this capacity.

Chairman Conrad presented Administrative Item #7 – Building Permitting System Upgrade with RDA Systems and called for discussion.

Mr. Conrad pointed out that money was put in the FY09 budget for a permitting system.

Mr. Spencer came forward to give an update on the building permit system with RDA Systems. Mr. Spencer explained that we are currently operating with a program that has many limitations and that has no backup method. Mr. Spencer also stated that he had spoken with several companies with smaller programs that would do what we needed them to do and only one of those was willing to come on site and give a demonstration. RDA Systems currently works with our school system and has been working with them for over fourteen years and he feels confident that they will continue to be around if needed for many more years. Mr. Spencer stated that the software and the training is going to cost approximately $19, 500. If they are allowed to purchase the server and

install the software and configure it all it will cost approximately $3,500 more and the third proposal is annual fee for backup. The total of the three components are approximately $25,000. Mr. Spencer explained that during last years budget a figure of $50,000 was put in the budget with the possibility of having to put another $50,000 in the FY2010 budget to finish the purchase of a building permit system.

Chairman Conrad called for questions from the Board. Hearing none, Mr. Craft made a motion to authorize the County Administrator to accept the proposal with RDA Systems and sign the contract. Mr. Tanner seconded Mr. Craft's motion. Hearing no further discussion, Chairman Conrad called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Additional Item #7A- Engineering and Design Services and called for discussion.

Mr. Carter stated that it had been a very profitable day on the education aspect and he was very impressed. Mr. Carter stated that a choice had been made without a doubt he felt that the right choice had been made. Mr. Carter stated that everyone that was involved in the interviews was happy with the decision that was made.

Mr. Tanner stated that everyone that was interviewed was very impressive, but Hurt and Proffitt was a head above the rest on what they will do for us.

Ms. Ferguson stated that we need permission to enter into a contract, after approval by the County Attorney.

Mr. Carter stated that it is of the utmost urgency to move forward on this immediately.

Mr. Tanner stated that Hurt and Proffitt stand ready to start tomorrow or once we can get our paper work completed.

Chairman Conrad stated that this has been an ongoing issue with this Board and we have made the decision to move ahead and he appreciates the time and effort that has been put into this project and looks forward to moving into the future.

Mr. Carter made a motion to enter into a contract with Hurt and Proffitt for the waterline design. Mr. Moore seconded Mr. Carter's motion.

Mr. Overstreet asked Chairman Conrad to have the motion amended to state that the Chairman of the Board will be authorized to sign the contract after approval from the County Attorney.

Mr. Carter made an amendment to his motion to authorize the Chairman of the Board to sign the contract after approval from the County Attorney. Chairman Conrad called for further discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad congratulated Mr. Earl Dickerson of Hurt and Proffitt, on being awarded the contract. Mr. Dickerson stated that he was looking forward to working with the County.

Chairman Conrad presented Additional Item #7B- Oakville School Demolition and called for discussion.

Ms. Ferguson stated that numerous issues have arisen concerning the demolition of the old Oakville School and it is more involved than just adding an addendum. She feels the best thing to do would be to cancel this project and then advertise again, at a later date, once the issues have been settled.

Mr. Tanner made a motion to cancel the Invitation to Bid for the Oakville School project for the reasons set forth in the report of the County Administrator pursuant to Sec. 2.2-4319 Code of Virginia. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing no further discussion, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Consent Agenda and called for discussion.

CONSENT AGENDA
Approval of Minutes
January 20, 2009 – Regular Scheduled Meeting

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:
Clerk of the Circuit Court
supplement by consent and appropriate $6,194.00 to 2106-3010 Data Processing in the Clerk's budget. This will be reimbursed from Technology Trust Funds.

Sheriff's Department
supplement by consent and appropriate $1,117.15 to 3102-1001 Salaries and Wages; $85.46 to 3102-2001 FICA; and $175.50 to 3102-2002 VRS due to a 9.31% increase received by a deputy upon his one year anniversary.

supplement by consent and appropriate $1,270.75 to 3102-1002 Overtime and $243.02 to 3102-2001 FICA; and $1,662.96 to 3102-1003 for reimbursement for officers working special events, overtime and other reimbursements.

supplement by consent and appropriate $20.00 to 3102-3013 OSHA Mandates for reimbursement received for court ordered drug testing

Library
supplement by consent and appropriate $720.90 to the following line items:

7301-5401	Office Supplies	$389.36
7301-5411	Books	206.59
7301-5414	Pamplin Depot Library	124.95

FUND TRANSFERS:
Courthouse Maintenance
transfer by consent $48.99 from Courthouse Maintenance Fund to 4302-7010 in the General Properties budget.

Mr. Carter pointed out a correction that needed to be made on page 31 of the minutes.

Mr. Craft made a motion to accept the Consent Agenda as submitted with the correction to the minutes as noted by Mr. Carter. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for further discussion, hearing none, Chairman Conrad called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Informational Items and called for discussion.

Mr. Carter stated that he was very impressed by the E911 Report on now being able communicate with Lynchburg General Hospital on behalf of the rescue squad. The center will be capable of transmitting information from a Phillips 12-lead EKG onto a server allowing the Rescue Squad to provide Lynchburg General with twelve different views of a patient's heart rhythm, which could be vital for heart patients. This will allow the ER doctor to diagnose a patient before they arrive at the hospital. Mr. Carter stated that he feels that this is a benefit for this community.

Mr. Tanner stated he noticed that Mr. Spencer had helped with getting this program installed.

Chairman Conrad next called for Supervisors Concerns.

Mr. Carter stated that he had several issues for discussion.

Mr. Carter stated that the handout that was given from Governor Kaine on the stimulus plan is vital.

Mr. Carter stated that in moving along with the waterline it may be prudent to send a letter to the Town asking their intentions on the use of the Stag Grant. Mr. Carter stated that there is a time element and we need to get Ms. Ferguson to send a letter asking their intentions.

Mr. Carter questioned if a joint meeting had been scheduled with the EDA and the Planning Commission.

Mr. Spencer stated that the Planning Commission had stated that Tuesday and Wednesday would be the best days for them to meet.

Mr. Spencer stated that the EDA had discussed and decided that a Tuesday would be best for them.

Mr. Spencer stated that it looks like between the two committees a Tuesday would be the best meeting date between the hours of four o'clock and eight o'clock.

Mr. Carter stated that this information needed to be given to the Board of Supervisors Chairman to get this meeting set up.

Mr. Carter next questioned the well drilling ordinance if anything had been done.

Ms. Ferguson replied that this is still being worked on at this time.

Mr. Carter questioned if the Board needed to send a letter out explaining the facts on appointing a PSA. Mr. Carter questioned if the facts of a PSA could be put together to help with the fear of what is falsely being told.

Ms. Ferguson questioned where Mr. Carter would want this letter containing the facts to be sent.

Mr. Carter stated that this could be sent to the local newspaper or we could ask Mr. Hamlett to sit down and talk with someone and do an article for the paper.

Mr. Tanner stated that the handout that they had been previously given on this could also be incorporated into the letter since it contains a lot of good information.

Mr. Carter next stated that Appomattox County has missed another possible opportunity. Mr. Carter stated that he had seen on the website that King George County had added a Harris Teeter Distribution Center which would add approximately 335 new jobs to their county.

Mr. Carter stated that he did not know the details of this project or if Appomattox County was even contacted and if so what our response was.

Mr. Carter asked Mr. Spencer if he was aware of this new Harris Teeter Distribution Center.

Mr. Spencer stated that he was not aware of this and it had not filtered its way down, however, Mr. Spencer stated that when things are being looked for by the State, they are a lot of times site specific and they are usually wanting existing buildings or rail service and usually no name is attached to the request.

Mr. Carter stated that what had really got his attention was the Chairman of the Board of Supervisors for King George stated that this distribution site was really good for Virginia State Route 3 and here we are in Appomattox County, located on the longest road in Virginia, Route 460, which travels from one end of the state to the other and we are continuing to miss these golden opportunities.

Mr. Tanner stated that today during the interview process for the engineering services for the waterline, the process was valuable and it was the consensus that they had come out feeling that we are doing the right thing and he would like to say that the door is not shut to the Town of Appomattox and they can enter and partner with the County at anytime, as this waterline will benefit everyone in the County and the Town.

Mr. Tanner explained that Mr. Conrad and he had traveled to Lynchburg to attend a meeting to hear Congressman Perriello speak. Mr. Tanner stated that after the meeting they had an opportunity to speak with him and expressed it would be much appreciated by Appomattox County for any help that he could give, and Congressman Perriello was very positive about this request.

Chairman Conrad stated that he had one thing for Supervisor Concerns and it was how the Board wished to run future meetings. While he was attending the Board Chairs Institute there was discussion that Boards following the Roberts Rules of Order for small Boards do not have to have a second on motions. Chairman Conrad stated that Appomattox County has always utilized the second but he wanted to bring this to the Boards attention.

Chairman Conrad stated that there are advantages to using this process and also disadvantages. Chairman Conrad stated that he would like the Board to consider this and have Ms. Ferguson put this on the Agenda for the next meeting for the Board, to take a vote on how they wished to proceed with future board meetings.

Chairman Conrad next asked for an opinion from County Attorney Overstreet.

Mr. Overstreet stated that the Board has chosen the Robert Rules of Order for Small Boards and that does allow for a motion without a second. Mr. Overstreet stated that he agrees it does not hurt anything having a second however it is not necessary and that it also allows the Chairman to make motions. Mr. Overstreet stated that is up to the discretion of the Board on how they want to conduct their meetings.

Chairman Conrad asked the Board to consider this and determine how they would like to have their future meetings run.

Chairman Conrad next presented the upcoming meetings.

MARCH CALENDAR
March 2, 2009 @ 6:30 P.M.
Regular Meeting

Appomattox County Administration Building
153A Morton Lane

March 16, 2009 @ 6:30 P.M.
Regular Meeting
Appomattox Community Center
220 Community Lane

March 23, 2009 @ 7:00 P.M.
Joint meeting with School Board
School Administration Building
316 Court Street

APRIL CALENDAR

April 6, 2009 @ 6:30 P.M.
Regular Meeting
Appomattox County Administration Building
153A Morton Lane

April 16, 2009
Region 2000 Regional Dinner
More Information will be provided at later date

April 20, 2009 @ 6:30 P.M.
Regular Meeting
Appomattox Community Center
220 Community Lane

Mr. Tanner made a motion to adjourn the meeting at 7:25 p.m. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:25 p.m.

Thomas H. Conrad, Chairman

On Monday, March 9, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT: William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District
Samuel E. Carter – Appomattox Courthouse District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. and delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda, Mr. Earl Dickerson was added under appearances and under Administrative Items #7A -#7D were added, under Informational Items #20A was added to the agenda.

Hearing no public comment, Chairman Conrad called on Ms. Susan Estes with Draper Aden to come forward and present the low bid for the closure of Cell I and also to answer any questions that the Board may have.

Ms. Estes gave the board a copy of Draper Aden's letter of recommendation, and also stated that bids were opened on February 24, 2009, Ms. Estes explained that twelve bids were received for this project and that Shearin Construction Inc. had submitted the low bid of $556,395.13. Ms. Estes stated that Draper Aden had worked with Shearin Construction Inc. on previous jobs and have been pleased with their performance.

Mr. Carter questioned what the time table would be on this project and Ms. Estes stated that 90 days is the time allowed.

Mr. Conrad thanked Ms. Estes for her time and effort on this project.

Ms. Ferguson stated that the Board really needed to move forward as soon as possible to meet the 90 day schedule by accepting Shearin Construction bid.

Mr. Carter made a motion to accept the bid of Shearin Construction Inc. in the amount of $556,395.13 and to authorize the County Administrator to sign the contract for closure of Cell I.

Mr. Tanner seconded Mr. Carter's motion. Hearing no further discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next called on Mr. Earl Dickerson with Hurt & Proffitt to come and update the Board on the 460 Waterline Project.

Mr. Dickerson came forward and briefly gave a report on the progress of work that has been done thus far on the 460 waterline project and stated that the design plan for the water line is about 30 percent complete. Mr. Dickerson stated that all property owners had been identified and things are moving forward with the project and are rapidly coming together in a positive way.

Chairman Conrad thanked Mr. Dickerson for his report.

Chairman Conrad presented Administrative Item #1 – Roberts Rules of Order for Small Boards and stated that this issue was brought before the Board at the last meeting for them to consider if this Board wished to follow in regards to allowing a motion without the necessity of a second.

Mr. Craft stated that he had no problems with this however he felt it might be confusing.

Mr. Carter stated that he would like to see the Board continue as they have been and it would be more prudent to go with a second as it would allow you time to table and to revisit at later date if necessary.

Mr. Tanner stated that he was comfortable with this staying as it is. Mr. Tanner stated that he had talked with other Board members of other localities and they do not use the second. Mr. Tanner stated that he however is more familiar with using the second, however he would not oppose this if the consensus of the Board would like to change.

Mr. Overstreet stated that the procedure of what this board has been using is a departure from the small board procedures and the Board may want to make a motion to continue in this manner.

Mr. Carter made a motion for the Board to continue using the Robert Rules of Order with the departure and using a second on motions. Mr. Craft seconded this motion. Chairman Conrad called for further discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#2 – Letter to the Town of Appomattox, and explained that in the last meeting it was suggested that the County Administrator write a letter to the Town requesting if they were not going to use their half of the STAG grant that they award it to the County. Chairman Conrad stated that this letter has now been written and they had been given a copy for Board approval and instructions if they wish the County Administrator to send.

Mr. Carter stated that the letter was well documented and it was to the Board's advantage to enlighten the Town on what the County has engaged in and will continue to be engaged in, as far as pursuing the water line.

Chairman Conrad stated that the letter is to the point and he feels that there is nothing that could be taken out of context.

Mr. Tanner made a motion to send the letter as presented to the Town of Appomattox. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for further discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #3 – Public Service Authority (PSA) and explained that this matter was brought up during Supervisor Concerns at the last board meeting, that it was thought that a letter should be written explaining how a PSA functions in order to alleviate fears that citizens have with an Authority.

Chairman Conrad stated that this is not saying that the Board is going to adopt a PSA but just to give a brief explanation of what consist of a PSA and how it operates.

Mr. Craft questioned if it was too soon in the process to be putting this information out to the public.

Mr. Carter stated that there has been a lot of concern in the public on this subject and it would help to ease some of these concerns.

Mr. Carter also stated that if the Town decides to not take part in the waterline he feels the County is not going to have a choice in establishing a PSA and it would be to the Counties benefit and citizens to establish a PSA. Mr. Carter stated that other counties have established a PSA without problems.

Mr. Conrad stated that one thing that the Board needed to be aware of is that the waterline can be run without a PSA.

Mr. Overstreet stated that when considering funding, a PSA can apply for loans and fund those funds through revenues and he is not sure if the County can do this.

Mr. Overstreet stated that time could be an issue and several things that needed to be considered, one being when you send in for your charter. The Code requires you to establish what the capital cost will be and the what projects will be done and what the rates will be. Mr. Overstreet also stated that there is a saving provision later that states that if it is not practical to do this you do not have to, it would be up to the Board, plus you must have at least five members designated when the charter is sent in. Mr. Overstreet also stated that you could have all five of the Board members be the PSA or you could have just one member of the Board and four citizens serve as members on the

PSA. This is a decision that would have to be made and then a public hearing would have to be advertised for thirty days. Mr. Overstreet stated that the code also provides that if there is a huge outcry on this matter the Board could have this placed on a referendum.

Chairman Conrad stated that at this time we are just looking to put information out to educate citizens on what a PSA consist of.

Mr. Tanner stated that putting this information in the paper would be good education and help with some of the fears out in the public regarding this matter and the public would appreciate the Board sharing what the code states about this matter.

Marvin Hamlett stated that he would be glad to sit down with someone and do a question and answer article for the Times Virginian.

Mr. Carter made a motion to have Marvin Hamlett prepare a question and answer article with Johnnie Roark and publish in the Times Virginian. Mr. Moore seconded Mr. Carter's motion. Chairman Conrad called for further discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item# 4- Harris Teeter Distribution Center and explained that at the last meeting it was mentioned that Harris Teeter has located a distribution center in King George and staff was questioned if they were aware of this business looking to locate this center. Chairman Conrad stated that a report had been provided regarding this matter.

Chairman Conrad next called for comments.

Mr. Craft stated that he had a lot of comments that he felt needed to be said and then read the following prepared statement.

"EDA Director
This has been discussed for a number of months. I thought it was the feeling of the majority of the Board that we put this off until we worked on the new budget. But some things have been said that I can no longer ignore. I have received some information to hire this person and to set up this budget to run this office, it would take approximately $200,000.00. I was told that it would not cost that much. Here is some of the information that I have received in reference to this.
Some of the other county's budget for EDA: Charlotte was the lowest at $23,000.00, but the County Administrator does it for them. The highest was Campbell County at more than $458,000.00, two of the counties we discussed as comparison are Amherst at $99,000.00, Page County at $474,730.00, Prince Edward came in at $176,398.00.
We were provided information on several counties in our size range that had received extra jobs by having an EDA Director. It was requested that we get this information from Prince Edward. I made the statement that we would not be comparable because of the two colleges in the area. I was told that this was like comparing apples to oranges as

Amherst has Sweet Briar (Amherst was one of the counties that we had information on the jobs from the EDA) I did some research and found Sweet Briar had 800 students and Hampton Sidney has 1120 students and Longwood has 4700. That would be more than 5000 students in Farmville and Prince Edward area. The Prince Edward County Administrator made the statement in the Farmville Herald, as long as we have the colleges our sales tax should remain stable. Do you think that all this motels, restaurants and theaters in the area would be there if they did not have the colleges? They also have a new Lowe's, could Appomattox support one of these?
Reference was made at out last meeting, "why did King George County get a Harris Teeter warehouse on a highway like Route 3 and we are on 460 one of the longest roads in the state, and how did this happen?" Knowing that there is no Harris Teeter nearby, they left this area 15-20 years ago. I looked it up on the internet, the closest store is Charlottesville, one in Richmond and one in Roanoke and maybe some in the Tidewater area. There is a large number in the Northern Virginia area. As you can see by Harris Teeter's request to the Virginia Economic Development Partnership, they wanted something in the Fredericksburg area. Some of the areas that were mentioned were to pricey so they settled on the King George County location. This location is approximately 15 miles from interstate 95 (Route 3 intersects with Interstate 95 at Fredericksburg.) The main North/South Route on the East Cost. Harris Teeter has a number of stores in the Carolina's. The home office is in Charlotte. They also liked this location as they can take Route 3 over to 301 North into Maryland and bypass Washington DC and Northern Virginia area, they also have stores in Delaware. King George will front three million for several years. Plus water and sewage to the door, this location has rail accessibility. Some of this information came from Brian David of Region 2000 who was County Administrator in King George County while some of this was going on. So why would they have any reason to look our way. This is not a done deal and it could take a couple more years, no paper has been signed. I would also like to state that I am not against hiring this person in the future, but when we do, I want the proper person and the funds to get the job done. Part of the Board Chairman's duties, is to attend the Region 2000 EDA meetings. At most of these meetings we are told what is out here for this area. I have not heard anything that we could qualify for. No rail accessibility, no suitable building not just shell buildings, sometimes they just want a building that can be modified to suit their needs in short order. I think what bothered me the most was the Harris Teeter thing. This information is out in the local newspaper. I think this information as stated, would make some people think that the Board, the EDA people and our staff were asleep at the wheel."

Mr. Carter stated that he would like to respond to Mr. Crafts comments.

Mr. Carter stated that some of the information that had been given was erroneous. Mr. Carter questioned where the figures had come from that had just been given.

Mr. Carter stated that he understood the questioned asked when trying to gather this information was "What is your budget" and the figures reflected a visitor's center, and also incorporated a person in this department and when asked if you want all this information these are the numbers that were given. Mr. Carter stated that Mr. Spencer

should be aware of all of this. Mr. Carter stated that the figures given for Prince Edward County is not what an Economic Development Coordinator is in their budget. Mr. Carter stated "I have said over and over again that we need an Economic Development Coordinator, we do not need an administrative person". Mr. Nash pointed out in the EDA meeting that this is the reason we have cell phones and computers and we move forward in today's society. Mr. Carter stated that when talking about colleges in Longwood and Hampton Sydney it is a shame that their industrial park is full, and part of Prince Edward's stimulus is they need more space and land, so here once again Appomattox in the circle of things, we do not have a Economic Development Coordinator and all of these surrounding counties are pursuing and gaining businesses to come in. Mr. Carter stated that Amherst County just gained another business in their Amelon Park. Mr. Carter stated that it does not take someone with a PHD to realize that the only way this County is going to survive is with an Economic Development Coordinator.

Mr. Carter stated that a lot of the information given tonight by Mr. Craft was erroneous.

Mr. Craft stated that his information about Harris Teeter was not erroneous, Chairman Conrad interjected by stating that Harris Teeter had specifically indicated that their distribution center was to be considered in the Fredericksburg area only because of the Route 301 Corridor going up to Maryland and Delaware. Chairman Conrad stated that it would not have mattered one way or another if someone here was contacted or not concerning this, because Harris Teeter under no circumstances would have considered this area, period. Chairman Conrad stated that because of that fact, no one should be blamed in the County Administrators office for not dealing with this.

Mr. Carter stated that this information is immaterial while Mr. Conrad stated that it was relevant to a point when accusing someone in the County office of not having this information. Chairman Conrad stated that this office had no reason to know this information due to Harris Teeter having no intentions of going anywhere other than the Fredericksburg area.

Mr. Carter stated that no one had been accused in any office of anything, Chairman Conrad stated that when the comment was made in the previous meeting that no one in the County office was aware of this new distribution center it was an accusation that this office was not up to par on doing their job.

Mr. Carter stated that no one in the organization of Appomattox County knew about Harris Teeter needing this site and it did not matter where they were going to locate. Mr. Carter stated that the whole objective is not for them to come knocking on our door, but for us to go to them. Chairman Conrad agreed that this is what we need to be doing, however, he feels that Mr. Craft was trying to say that we have not got the funds to be knocking on doors. Chairman Conrad stated that it has previously been stated that this Board would pursue an economic development coordinator during this budget and work on it then. Chairman Conrad stated that since that time, statements have been made that this needs to be done even if we have to borrow money. Chairman Conrad stated that he

did not see any purpose in borrowing money to hire someone to do a job with budgets constraints the way they are.

Chairman Conrad stated that he agreed that we need an EDA Director, but you hire this director when you can afford to. Mr. Conrad stated that he feels that the Board needs to start considering this position when preparing the budget.

Mr. Carter stated that he looks at this completely opposite, he began by saying that each day that we do not have an Economic Development Director we loose. Mr. Carter stated that he is fully one hundred percent in favor of this Economic Development Coordinator to be hired just as soon as possible and anything later than tomorrow is too late.

Chairman Conrad stated lets get into the budget and start discussing this again.

Mr. Carter stated that for this Board to sit here an vote on land use when we knew absolutely nothing and not hire an EDA Director when we know what is going to be forth coming maybe not instantaneous but we know what is forthcoming down the line. Mr. Carter then stated this Board voted on land use and had nothing to go on.

Mr. Tanner stated that this Board did not go into land use blindly. Mr. Tanner stated that he did his homework and researched it for probably over a hundred hours. Mr. Tanner stated that the entire Board supports an EDA Director, but how we arrive at hiring this position is where we differ.

Mr. Craft also stated that during Supervisor Concerns you are to contact the County Administrator prior to the meeting.

Mr. Carter questioned the underlying point of that statement.

Mr. Craft stated that Mr. Carter had a concern but did not contact the County Administrator prior to the meeting.

Mr. Carter stated that he is not in the County Administrator's office on a daily basis, and if he does not have time to ask during the course of the day to make a statement or ask the question then he will ask at the meeting.

Chairman Conrad stated that according to the statement you should make an effort to contact the County Administrator prior to meetings.

Chairman Conrad stated that they needed to move forward with other items on the Agenda.

Chairman Conrad presented Administrative Item #5 – Gladstone Volunteer Fire Department and explained that this had been carried over from the previous meeting in order to allow for time to locate an interested party. Chairman Conrad asked Mr. Moore if he had been able to find someone to serve in this capacity.

Mr. Moore stated that he had been unsuccessful in getting someone to serve in this capacity.

Mr. Tanner stated that he had also made numerous calls to try to get someone to serve and had also been unsuccessful.

Ms. Ferguson stated that they would need to keep trying to get someone to serve in this capacity.

Chairman Conrad presented Administrative Item #6 – Request from Town Council and explained that Town Council is requesting assistance with zoning while they are looking for a new Town Manager. Chairman Conrad called for discussion.

Mr. Carter stated if there was a time limit on this request.

Ms. Ferguson stated that we are willing to help with this and that she cannot imagine there is a huge volume of request. Ms. Ferguson stated that if we find that we cannot handle this request we will contact them and let them know. Ms. Ferguson stated that she would like to work with them and she feels that they work with us when we have needs also.

Mr. Overstreet stated that a citizen can ask a Zoning Administrator for an interpretation of the zoning ordinance and if our Zoning Administrator is going to be the administrator for the Town he would be giving an administrative opinion which could be appealed and could lead to several appeals, Mr. Overstreet stated that this may not be much of a problem, but at the same time it may also be a lot.

Mr. Carter questioned if the Town was going to compensate us for this.

Ms. Ferguson stated that this had not been discussed but she assumed that we would receive all fees incurred while acting as administrator.

Mr. Tanner made a motion for the County Administrator's office to assist with Zoning in the Town of Appomattox until they are able to replace their Town Manager. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for further discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented Administrative Item #7 – Complete Count Committee and explained that at the February 17, 2009 meeting the Board discussed appointing a Complete Count Committee to help gather census information. This matter was tabled until Ms. Ferguson could review the material more closely and see if there was a way to scale down the requirements to a more manageable committee. Chairman Conrad stated that Ms. Ferguson is reporting that after going over the material more closely and taking

all things into consideration that she feels it would be too cumbersome for the Board to engage in at this time. Chairman Conrad called for discussion.

Ms. Ferguson stated that after she reviewed their requirements she could not see a simple way to make this happen. Mrs. Ferguson stated that she would notify them that we simply do not have the staff to participate with this.

Chairman Conrad presented Administrative Item #7A – Resolution for Regional Solid Waste Management Plan and stated that staff recommends approving this resolution.

Chairman Conrad called for discussion, hearing no discussion, Mr. Craft made a motion to adopt the Resolution for Regional Solid Waste Management Plan. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

RESOLUTION
FOR ACCEPTANCE OF THE
REGION 2000 SERVICES AUTHORITY
REGIONAL SOLID WASTE MANAGEMENT PLAN
BY
APPOMATTOX, COUNTY, VIRGINIA

WHEREAS, Section 10.1-1411 of the Code of Virginia authorizes the Virginia Waste Management Board to promulgate regulations specifying requirements for local and regional solid waste management planning, and

WHEREAS, the Virginia Waste Management Board has promulgated such regulations entitled, "Regulations for the Development of Solid Waste Management Plans, Amendment I as 9 VAC 20-130-10 et seq., effective date August 1, 2001, through the Virginia Department Environmental quality, and

WHEREAS, these regulations require every county, city and incorporated town within the Commonwealth to submit and solid waste management plan by July 1, 2004, and

WHEREAS, Appomattox County, Virginia ("Appomattox County"), has determined that it is in its best interest to be a part of the Region 2000 Planning Region for preparation of the Regional Solid Waste Management Plan, and

WHEREAS, the Region 2000 Planning Region consist of the Counties of Campbell, Appomattox and Nelson and their respective incorporated Towns, and the Cities of Bedford and Lynchburg, and

WHEREAS, the Region 2000 Planning Region has enlisted the services of Draper Aden Associates and R.W. Beck, Inc. to complete such a plan, and

WHEREAS, Appomattox County Board of Supervisors has provided time for the public to review and comment on said plan and held a public hearing relative to the plan on February 17, 2009, and

WHEREAS, Appomattox County recognizes its responsibility to notify Region 2000 should anything change from the reported in the Solid Waste Management Plan recognizing that major changes will require an amendment to the plan required by the regulations under 9 VAC 20-130-175.

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors has reviewed the plan and addressed the plan at their meeting in regular session on March 9, 2009 and hereby adopts the Regional Solid Waste Management Plan and authorized its submittal to the Virginia Department of Environmental Quality.

Chairman Conrad presented Administrative Item #7B- Resolution of Support and explained that this resolution would be supporting a grant application to the Virginia Department of Health seeking funding for the 460 waterline project. Chairman Conrad called for discussion, hearing none, Mr. Tanner made a motion to adopt the Resolution of Support for the submittal of an application to the Virginia Department of Health seeking funding through the Drinking Water State Revolving Loan Fund. Mr. Carter seconded Mr. Tanner's motion. Hearing no further discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

RESOLUTION OF SUPPORT

WHEREAS, the Appomattox County Board of Supervisors voted in December, 2006 to commit to the Route 460 Water Line Project from Concord to the town limits of the Town of Appomattox; and

WHEREAS, on January 20, 2009 the Appomattox County Board of Supervisors authorized the County Administrator to begin engineering and design and move forward through construction of the Route 460 Water Line; and

WHEREAS, the Route 460 Water Line Project consists of 7.5 miles of twelve (12) inch ductile iron pipe and appurtenances along the main transportation corridor for the County; and

WHEREAS, during the most recent drought of record Appomattox County found its well water supply for individual users strained by the impacts of the drought, thus prompting the search for an alternative source of water; and

WHEREAS, Appomattox County and Campbell County Utilities and Service Authority are cooperating on this project for the water source, which will be the Otter River; and

WHEREAS, the Route 460 Water Line Project will greatly enhance the quality of life for residents along this corridor by providing a safe, reliable, and public source of water; and

WHEREAS, Appomattox County has identified 106 potential customers that could immediately benefit from this project by reducing iron and manganese levels currently experienced by private well use; and

WHEREAS, public safety will be greatly enhanced along the Route 460 Corridor due to increased fire

flows for established commercial businesses and making hydrants available for fire protection to homes; and

WHEREAS, the Appomattox County Board of Supervisors does hereby agree to seek additional funding for the Route 460 Water Line Project from the Office of Drinking Water in the amount of $3,5000,000; and

WHEREAS, future economic development along the Route 460 Corridor will rely upon this water source and will improve the tax base for all citizens of Appomattox County;

THEREFORE, BE IT RESOLVED THAT the Appomattox County Board of Supervisors does hereby support the submittal of the "Application for Construction Funds" through the Virginia Department of Health Drinking Water Revolving Loan Fund.

Approved on this day, the 16th of March, 2009.

Chairman Conrad presented Administrative Item# 7C- Vehicle Insurance and explained that Pamplin Volunteer Fire and EMS Department is requesting the Board to pay their yearly premium of $11,426.00. Chairman Conrad called for discussion.

There was lengthy discussion from the Board as to why Appomattox and Pamplin Volunteer Fire and EMS are having to seek insurance by someone other than who the County has insurance with and has always provided in the previous years.

Mr. Tanner made a motion to appropriate funds to pay the annual premium in the amount of $11,426.00 for Pamplin Volunteer and EMS vehicle insurance and to also re-bid and put out an RFP on county insurance. Mr. Carter seconded Mr. Tanner's motion. Hearing no further discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #7D- Community Park Sewer System and Electric Conduit Bids and explained that bids had been received for this and the low bid was David T. Garrett & Sons for $21,808.95 with all paper work being in order. Chairman Conrad stated that staff recommends awarding the low bid to David T. Garrett & Sons in the amount of $21,808.95. Chairman Conrad called for discussion, hearing no discussion, Mr. Craft made a motion to accept the low bid for Community Park Sewer System and Electric Conduit to David T. Garrett & Sons in the amount of $21,808.95. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented the Consent Agenda.

CONSENT AGENDA

Approval of Minutes

Monday, February 2, 2009 – Regular Scheduled Meeting
Monday, February 17, 2009 – Public Hearing Drought Response and Water Conservation Measures
Monday, February 17, 2009 – Public Hearing – Solid Waste Management Plan

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:

Sheriff's Department: supplement by consent and appropriate the following to the Sheriff's budget:

3102-1002 Overtime	1327.10	
3102-2001 FICA	109.93	
3102-3013 OSHA Mandates	30.00	
3102-5408 Vehicle Supplies		1448.60

The above items were reimbursed from various sources.

2107-1001 Salaries	5533.00	
2107-2001 FICA	435.00	
2107-2002 VRS		869.00
3103-1001 Salaries	290.00	
3103-2001 FICA	8.50	

The above items require additional funds over and above the budgeted amount.

Comprehensive Services Act: supplement by consent and appropriate the following to the CSA budget:

5310-3001 Professional Services $313,437.00

These funds will be partially reimbursed by the State.

Library: supplement by consent and appropriate $720.90 to the following line items in the Library budget:

7301-5401 Office Supplies	$389.36
7301-5411 Books	206.59
7301-5414 Pamplin Library	124.95

The above items were reimbursed from various sources.

Capital Projects: supplement by consent and appropriate $960.00 to 9104-7005 Landfill Gas Extraction System. This will be reimbursed to the general fund from bond proceeds.

FUND TRANSFER:

Courthouse Security Fund: transfer by consent $16,000.00 from the Courthouse Security Fund to 3102-1006. No additional local funds are required.

Hearing no comments on the Consent Agenda, Mr. Carter made a motion to accept the Consent Agenda as submitted. Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for any discussion, hearing none he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Informational Items and called for discussion.

Ms. Ferguson stated that she wanted to comment on Information Item #20A –Virginia Department of Transportation.

Ms. Ferguson stated that she had spoken with Mr. Austin and he had brought a lot of important information which is basically a restructure of Virginia Department of Transportations maintenance program. Ms. Ferguson stated that there are a lot of proposed changes. Ms. Ferguson stated that none if this is final as of yet, however they will be closing some of the residency offices, Appomattox office will remain open, but it may not have the same function that it has at this time.

Ms. Ferguson stated that some other changes will be on grass mowing and snow removal. Ms. Ferguson stated that on March 11, 2009 there will be a public hearing on the proposed changes and she encouraged any of the Board members to attend this public hearing and to voice their concerns after they review these proposed changes.

Chairman Conrad called for other discussion on information items.

Ms. Ferguson stated that she also wanted to discuss the joint meeting that had been scheduled with the EDA and Planning Commission on Tuesday, March 10, 2009.

Ms. Ferguson stated that she had planned on informing the Board of the joint meeting at the March 2, 2009 meeting and when that meeting was canceled due to the snow storm, she had not thought about this again until now. Ms. Ferguson stated that the joint meeting had been scheduled for Tuesday, March 10, 2009. Ms. Ferguson apologized for not getting this date to the Board sooner.

Ms. Ferguson stated that if this date does not suit the Board it can be rescheduled.

Chairman Conrad stated that no specific program has been put together for that meeting.

Ms. Ferguson stated that Mr. Carter has previously stated that he would like to see us work on a vision for the County.

Chairman Conrad stated that maybe the Board should look at rescheduling this meeting until they have a specific program planned.

Ms. Ferguson stated that she would like a specific time frame to work with when rescheduling this meeting.

It was a consensus of the Board to reschedule the joint meeting of the Board of Supervisors, Planning Commission, and EDA meeting at a later date.

Chairman Conrad called for Supervisor Concerns.

Mr. Carter questioned if through stimulus would the capability of broad band be available to every household.

Ms. Ferguson stated that she believed that stimulus money will be coming through already established avenues such as VDH and we will not see an entitlement directly to Appomattox County and we would have to apply for these funds. Ms. Ferguson pointed out to the Board that at some time in the future we may be pressed to make some quick decisions with supporting resolutions and documents.

Ms. Ferguson stated that she hopes to bring the proposed budget calendar to the next scheduled meeting.

At 8:00 p.m. Mr. Craft made a motion to enter into closed session in accordance with Section 2.2-3711(A)(3) Code of Virginia to discuss acquisition and disposition of property which will be directly related to the Museum of Confederacy. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

At 8:22 p.m. Mr. Tanner made a motion to reenter into regular session. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad read the Certification Motion for a Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.

ROLL CALL VOTE: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad reminded the Board of all upcoming meetings.

Mr. Tanner made a motion to adjourn at 8:25 p.m. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Thomas H. Conrad, Chairman

On Monday, March 16, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox Virginia.

PRESENT: Samuel E. Carter – Appomattox Courthouse District
William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. and asked Mr. Moore to deliver the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Added to the agenda was Appearances, Mr. Earl Dickerson with Hurt & Proffitt who has been added to give the Board an update on the County water project. Under Administrative Items add Item #8A – Contract; Item #8B – Provisional Rate Structure; Item #8C- Construction Estimate, added under Informational Items is Item #12A – Recommendation for Gladstone Volunteer Fire Department Board of Directors.

Chairman Conrad next called for Public Comments. Mr. Paul Coviello came forward and stated his address as 1746 Police Tower Road, Appomattox, Virginia. Mr. Coviello stated that he had come to ask the board not to ban the burning of leaves within the county as was being requested by Mrs. Scanlon.

Chairman Conrad thanked Mr. Covielle for his comments and then called for other citizens who wished to come and speak to the Board.

Hearing no other comments Chairman Conrad explained that the Board would be having a public hearing at 7:00 with the Planning Commission.

Chairman Conrad explained that Mr. Earl Dickerson with Hurt and Proffitt is present and would be giving an update on the 460 waterline.

Chairman Conrad called on Mr. Earl Dickerson to come and address to the Board.

Mr. Dickerson came forward and stated that he has provided the Board with some information that he feels would be of interest.

Mr. Dickerson stated that Hurt & Profitt is having a challenge on the survey with Miss Utility getting their job done in an accurate and timely fashion. Mr. Dickerson stated that this is a concern. Mr. Dickerson stated that after meeting with Campbell County and talking with Mike Dameron, they had similar problems with this. Mr. Dameron explained that Miss Utility did not identify some lines and some were wrongly identified which became costly to Campbell County.

Mr. Dickerson stated that Miss Utility is a free service and it was recommended by Campbell County that Appomattox may want to consider hiring a private company to come and to finish marking the underground utility lines.

Mr. Dickerson stated as far as Hurt & Proffitt they are doing well with the survey and stated that they have now completed two and a half miles on the plan sheet for designers to start working on, they will have the rest completed in a couple of weeks.

Mr. Dickerson stated that he had met with Campbell County today and it had been a very informative meeting.

Mr. Dickerson next began explaining the hand out that he had given to the Board before the meeting. Mr. Dickerson went over the cost estimate as to where Hurt & Proffitt is with the design now using an estimated number.

Mr. Dickerson stated that he had spoken with a local contractor and discussed how he would like to see the contract broken into several different sections to give smaller local contractors an opportunity to bid this project.

Mr. Dickerson next explained the water rates for the surrounding counties and then stated that the recommendation for Appomattox County provisional rate minimum bill to be ten dollars a month. Mr. Dickerson gave an explanation on how Hurt & Proffitt had come up with this rate.

Mr. Conrad questioned if a customer connects but does not hook up, would they be receiving a bill for the minimum amount? Mr. Dickerson stated that was correct that we would be maintaining an active account and that would be the cost for this.

Mr. Dickerson explained further how the water rates are calculated.

Mr. Dickerson stated that Hurt & Proffitt recommends that Appomattox County start charging that minimal provisional rate as soon as the water line is ready to be used, which will not be for some time.

Mr. Dickerson stated that he needs to have by March 27, 2009 a rate structure for the Department of Health.

Mr. Craft questioned how often do you see an increase in the water rate? Mr. Dickerson stated that usually you see an increase about every two years.
Mr. Dickerson also identified some other fees that will need to be charged which are standard fees such as application fee, late fees, and reconnection fees.

Mr. Dickerson gave a recap of the total customers.

Mr. Dickerson stated that at this time we have 32 business or homes that have agreed to connect along with 16 other that are property owners. There are nine that have declined and 28 that are undecided at this point.

Mr. Tanner questioned how many more properties are left to be visited. Mr. Dickerson stated that he did not have an exact figure, but he could tell him that there are 71 properties on the north side and about 27 properties on south side that are fronting Route 460. Mr. Dickerson stated that could vary some.

Mr. Dickerson stated that we need about 51 percent of those numbers that are actual users. Mr. Dickerson stated that they have until the end of the week to get these numbers.

Chairman Conrad stated that he had several calls wanting to know where the meter would be placed.

Mr. Dickerson gave an explanation as to where the meter would be placed. Mr. Dickerson stated that they prefer to stay at the 460 right of way.

Chairman Conrad questioned if the owner should be the one signing the paperwork or could the person renting the property. Mr. Dickerson stated that it should be the owner to file all paperwork.

Mrs. Ferguson stated that the Board would need to hold a special meeting on March 25, 2008 at the Conference room in the County Administrators office, to complete the paperwork needed for the application which needs to be submitted to the Health Department by March 27, 2008.

Mrs. Ferguson stated that things have moved along faster than anticipated due to the stimulus money that has been given to the Health Department. We have had to step up the process to have this done and meet the dead line.

Mr. Dickerson gave an explanation on how water rates should be set and explained that these rates will be provisional and rates will need to be looked at all times and this is how the County will be off setting their expenses.

Mr. Overstreet questioned if it was possible for anything to change after the meeting with Campbell County on March 24, 2009? Mr. Roark stated that there should not be any changes.

At 7:00 p.m. Chairman Conrad stated that the Board would adjourn the regular meeting and convene for the public hearing on zoning petitions. Mr. Craft made a motion to adjourn the regular meeting with Mr. Tanner seconding the motion. Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad reconvened the regular scheduled meeting at 7:10 p.m.

Chairman Conrad presented Administrative Item # 1 – Planning Commission Recommendation for Petition #CUP09001 for Gleaning for the World/Clayton Bryant Jr. to place an off-premise sign on property owned by Clayton Bryant Jr. at intersection of Richmond Highway and Stage Road. Chairman Conrad stated that the Planning Commission has recommended approval of this request with one condition which would be to remove the sign if Gleaning for the World was to relocate or shut down. Chairman Conrad called for discussion on this item.

Mr. Tanner stated that he felt that this was a very worth-while operation and that it was good for the locality, nation and world and he was in favor of approving this petition.

Mr. Tanner made a motion to approve Petition CUP09001 to allow an off-premise sign. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented Administrative Item #2 – Technical Assistant to Building Official and explained that Mr. Phillip Moore, Erosion & Sediment Control Coordinator, has completed the Core Course, the Advanced Official Course, and the Building Inspector Course which is required by the Virginia Department of Housing and Community Development to perform duties as a building inspector which will allow Mr. Hamlett, Building Official to use Phillip when the workload dictated or when he is out of the office. Chairman Conrad called for discussion.

Ms. Ferguson stated that lately Phillip's work has been on the slow side and he has been able to help Mr. Hamlett.

Mr. Carter questioned if this would cause any conflict with Nottoway? Ms. Ferguson stated that he was also doing this in Nottoway County.

Mr. Craft stated that this would also help with the budget.

Mr. Moore made a motion to approve Phillip Moore as Technical Assistant to the Building Official. Mr. Carter seconded Mr. Moore's motion. Hearing no further

comment, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented Administrative Item #3 – Reimbursement of Conditional Use Fee and explained that fees had been submitted for a Conditional Use Permit Application in late February and since that time, the petitioner has decided not to pursue purchasing the property for which the CUP was requested, therefore the petitioner is requesting a refund. Chairman Conrad explained that staff had not expended any time of this petition.

Chairman Conrad called for discussion.

Mr. Moore made a motion to approve the full refund in the amount of $200.00 to Russ Nixon and supplementing to 8104-3002 for reimbursement. Mr. Carter seconded Mr. Moore's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #4 – Amendments to the Appomattox County Code, Chapter-139 Solid Waste and explained that there had been multiple additions and deletions to this chapter which pertain to the closure of the landfill and the pending operation of the convenience centers. Chairman Conrad explained that staff is requesting that the Board schedule a public hearing for April 20, 2009 to receive public comment on the proposed changes. Chairman Conrad called for discussion.

Mr. Craft made a motion to set a public hearing on the amendments to the Appomattox County Code, Chapter-139 Solid Waste on April 20, 2009. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #5 – GIS Internet Mapping and Development Project and Administrative Item #6 – GIS Needs Assessment and then explained that staff is moving towards completion of the Parcel Conversion Project and it is now time to focus on the deployment of this data with the development of an internet website that provides the public and county employees access to select GIS information on a continuous basis. Chairman Conrad explained that staff has been planning for this project and funds have been included in the FY2009 budget. Chairman Conrad also explained that staff currently has multiple GIS projects underway in various stages and additionally, user requirements, technology and increasing work flows have created the need to evaluate the current status of the GIS within the County business operations and create distinct work flows between all County stakeholders. Funding this project will be derived from other savings in information technology, planning and public safety. Chairman Conrad called on Mr. Roark to come and give an explanation of this request.

Mr. Roark came forward and introduced Ms. Sara Dennis who has been our primary contact during the parcel conversion phase with Timmons.

Mr. Roark stated this will allow the County to get information to the public twenty four hours a day. This will not only help the public but will assist our office to obtain information in a timely manner.

Mr. Roark called for questions from the Board.

Chairman Conrad asked about the standard applications process. Mr. Roark stated that what we would be getting would be the latest program of this mapping program which would be very similar to a Google application and most people are familiar with this and the tools will be basic.

Ms. Dennis explained the difference in the basic, standard and the enhanced application is just for parcel viewing only and the standard will be the first flex API new website available. Ms. Dennis explained that as you go up in the tier cost will also increase. Ms. Dennis explained that Appomattox County is basically getting a $33,000 dollar program for $25,000.

Mr. Carter questioned if he is looking for a home would he have a pictorial of the house. Ms. Dennis stated that he would have an aerial but not a pictorial of a house.

Mr. Tanner questioned if any grants were available to help pay for this.

Mr. Wingfield- 911 Director stated that grants are how we have gotten this far. He stated that future grants would be available after we get past this point.

Mr. Roark stated that the needs assessment will help to focus on what we are trying to do with GIS.

Mr. Tanner stated that he had been over to 911 and the resolution is good.

Chairman Conrad called for further discussion, hearing none Mr. Craft made a motion to approve moving forward with the development of an internet website that will provide the public and county employees access to select GIS information. Mr. Carter seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Carter then made a motion to approve moving forward with the GIS Needs Assessment. Mr. Tanner seconded Mr. Carter's motion, hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented Administrative Item #7 – Amendment to Resolution of Support for Virginia Department of Health Grant Application and explained that the resolution of support which was adopted at the previous meeting and had omitted the

amount being requested by the Board of Supervisors. The amount being requested is $3.5 million which is reflected in the updated resolution.

RESOLUTION OF SUPPORT

WHEREAS, the Appomattox County Board of Supervisors voted in December, 2006 to commit to the Route 460 Water Line Project from Concord to the town limits of the Town of Appomattox; and

WHEREAS, on January 20, 2009 the Appomattox County Board of Supervisors authorized the County Administrator to begin engineering and design and move forward through construction of the Route 460 Water Line; and

WHEREAS, the Route 460 Water Line Project consists of 7.5 miles of twelve (12) inch ductile iron pipe and appurtenances along the main transportation corridor for the County; and

WHEREAS, during the most recent drought of record Appomattox County found its well water supply for individual users strained by the impacts of the drought, thus prompting the search for an alternative source of water; and

WHEREAS, Appomattox County and Campbell County Utilities and Service Authority are cooperating on this project for the water source, which will be the Otter River; and

WHEREAS, the Route 460 Water Line Project will greatly enhance the quality of life for residents along this corridor by providing a safe, reliable, and public source of water; and

WHEREAS, Appomattox County has identified 106 potential customers that could immediately benefit from this project by reducing iron and manganese levels currently experienced by private well use; and

WHEREAS, public safety will be greatly enhanced along the Route 460 Corridor due to increased fire flows for established commercial businesses and making hydrants available for fire protection to homes; and

WHEREAS, the Appomattox County Board of Supervisors does hereby agree to seek additional funding for the Route 460 Water Line Project from the Office of Drinking Water in the amount of $3,5000,000; and

WHEREAS, future economic development along the Route 460 Corridor will rely upon this water source and will improve the tax base for all citizens of Appomattox County;

THEREFORE, BE IT RESOLVED THAT the Appomattox County Board of Supervisors does hereby support the submittal of the "Application for Construction Funds" through the Virginia Department of Health Drinking Water Revolving Loan Fund.

Mr. Tanner made a motion to approve the amendment to the resolution of support for the VDH Grant application. Mr. Carter seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #8 – Consideration of a Waterworks Master Plan and explained that since the County has decided to move forward with the initial part of the County water system, staff believes it would be prudent to instruct the County's engineering firm to begin work on a master plan to determine how best to meet

the water supply needs of the community in future years. Mr. Conrad explained that this plan would identify projected future water demand, possible water line routing, pipe sizing, and system mediations if needed. Chairman Conrad called for discussion.

Mr. Roark stated that we have moved very fast and things have come up and he feels that if we are going to move forward we need to get Hurt & Proffitt to work on a plan for the County. Mr. Roark stated that what will make a water system work are customers and we need to find out where those customers are and to also find out the best and most economical and sound way to get water to these customers.

Mr. Carter made a motion to approve moving forward with the Waterworks Master Plan for the County with cost being approximately $32,000. Mr. Tanner seconded Mr. Carter's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #8A- Contract, Chairman Conrad stated that at the February 17, 2009 meeting, the Board of Supervisors approved the recommendation of the interview committee for Engineering Services related to the County's Water System. The Board selected Hurt & Proffitt, Inc. and authorized the Chairman to enter into an agreement with the firm. Chairman Conrad stated that staff is recommending reviewing the documents with Hurt and Proffitt.

Mr. Tanner made a motion to approve the contract document with Hurt & Proffitt. Mr. Carter seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #8B- Provisional Rate Structure and explained that Hurt & Proffitt, Inc. has developed a Provisional Water Rate Structure for the County's water system. Chairman Conrad stated that these provisional numbers are necessary for the grant application that is being prepared to submit later this month to the Virginia Department of Health. Mr. Dickerson has reviewed the figures with the Board earlier tonight and will be glad to answer any further questions the Board may have.

Mr. Tanner stated that time is of the essence and the key word being provisional and we will be coming back many times and reviewing. Mr. Tanner stated that he feels the numbers given are fair numbers.

Mr. Craft made a motion to adopt the Provisional Water Rate Schedule for the Appomattox County Water System. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #8C – Construction Estimate and stated the design work has progressed. Mr. Dickerson has worked up a new estimate for the cost of construction for the Route 460 Water Line. The initial cost estimate was derived from

the 2006 Preliminary Engineering Report done by Draper Aden. Chairman Conrad called on Mr. Dickerson to come and report to the Board on the cost of construction.

Ms. Ferguson stated that Mr. Dickerson had given his report to the Board during his earlier appearance for the Boards consideration.

Chairman Conrad called for discussion.

Mr. Carter complimented Mr. Dickerson on a job well done.

Mr. Dickerson stated that figures could possibly change once they move further along with the design.

Mr. Carter made a motion to approve the cost of construction for the Route 460 Water line as presented by Mr. Earl Dickerson, Hurt & Proffitt, Inc. Mr. Craft seconded Mr. Carter's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #9- Insurance for Appomattox Volunteer Fire Department and explained that the County Administrator has met with Timmy Garrett, Fire Chief for Appomattox Volunteer Fire Department and reviewed the proposal presented to them by Donnie Thornhill for property, casualty and vehicle insurance for one year. Mr. Garrett is requesting that the County pay the premium in the amount of $10,758.50. Chairman Conrad called for discussion.

Mr. Craft questioned if some of the vehicles were going to be covered by VACo? Ms. Ferguson explained that all of the Appomattox Volunteer Fire Department vehicles would be covered by Cabell Insurance due to getting a cheaper rate by putting buildings and vehicles with the same insurance company.

The Board took a five minute recess.

Chairman Conrad called for further discussion on Administrative Item#9 – Insurance for Appomattox County Volunteer Fire Department.

Mr. Tanner made a motion to approve Mr. Garrett's request for the County to pay their insurance in the amount of $10,758.50. Mr. Craft seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #10- Request for a Burning Ban and reminded the Board that Mrs. Scanlon approached them once before requesting that the Board impose a ban on outdoor burning in areas where the homes are close together. The Board chose at that time not to impose an ordinance banning burning in highly populated areas. Mrs. Scanlon is requesting that you reconsider your decision due to the new legislation banning smoking in restaurants. Chairman Conrad called for discussion from

the Board.

Mr. Craft stated that the only way to do this is to have her get a petition for that particular subdivision.

Chairman Conrad stated that there would be homes bordering that particular subdivision that could still burn which is not eliminating the problem. Chairman Conrad stated that he is a believer in land owner rights.

It was the consensus of the Board to take no action.

Chairman Conrad presented Administrative Item #11 – Special Meeting and explained that Alice Rockefeller is moving along with the fencing and manning of the convenience centers in Appomattox County and during this process several issues have arisen that require the Board's consideration. Staff is recommending scheduling a special meeting from 6:00 – 7:00 on March 23, 2009 in the County Administration Conference Room to discuss these issues with Alice prior to the joint meeting with the School Board. Chairman Conrad called for discussion.

Mr. Carter made a motion to schedule the special meeting at 6:00 p.m. on March 23, 2009 at the County Administration Conference Room. Mr. Craft seconded Mr. Carter's motion.

Ms. Ferguson stated that there are two items that need to be identified to schedule a special meeting. Those two items are the logistics and operations of convenience centers and to go over bids opened on development of convenience sites.

Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #12 – Citizen Request for Dialysis Center and explained that he had received this request that the Board support a request for a dialysis center to be provided in Appomattox County. Chairman Conrad asked Ms. Ferguson to write to the named persons on the letter and get their thoughts on this request, and once received report back to the board.

Mr. Tanner stated that this dialysis center would cut down on travel time and cost to these patients. Mr. Tanner stated that he feels it would be worth looking into this request.

Chairman Conrad presented Administrative Item #12A – Gladstone Volunteer Fire Department Board of Directors.

Mr. Moore stated that Mr. John Gilbert has agreed to serve in this capacity.

Mr. Moore made a motion to appoint Mr. John Gilbert to serve on the Gladstone Volunteer Fire Department Board of Directors. Mr. Carter seconded Mr. Moore's

motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Consent Agenda and called for discussion.

CONSENT AGENDA
Approval of Bills

SUPPLEMENTAL APPROPRIATIONS
Clerk of the Court
Supplement by consent and appropriate $2,000.00 to 2106-3010 Data Processing

Commonwealth's Attorney
Supplement by consent and appropriate $7.40 to 2201-5401 – Office Supplies for reimbursements received.

Sheriff's Department
Supplement by consent and appropriate $2117.03 to 3102-1002 Overtime; $175.37 to 3102-2001 FICA for reimbursement from the schools for security, also $285.00 to 3102-5408 Vehicle Power Equipment Supplies for restitution received.

General Properties
Supplement by consent and appropriate $4076.50 to 4302-3004 for reimbursement received from insurance for replacement of heat pump at Community Center due to vandalism.

Library
Supplement by consent and appropriate $740.82 to the following:

7301-5401 – Office supplies	$504.84
7301-5411 – Books	$87.19
7301-5414 – Pamplin Depot Library	$148.79

LINE ITEM TRANSFER
General Properties
Transfer by consent $4039.00 from Operating Reserve to 4302-3004 – Repair/Maintenance.

Mr. Moore made a motion to approve the Consent Agenda as submitted. Mr. Carter seconded Mr. Moore's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented the Information Items and called for comments.

Chairman Conrad next called for Supervisor Concerns.

Mr. Conrad stated that he wanted to make a comment on the letter that was submitted to the Letters to the Editor in the Times Virginian this week regarding the shelter site. Chairman Conrad stated that during this snow storm he had been in the County Administrators office and the decision was made to open the shelter after cleaning the sidewalks of snow. On Monday, at 11:00 a social worker went to the shelter and only one vehicle showed up at the shelter but was not requesting help from the shelter. There was no further request for shelter on that day or the next day while Ms. Dixon was at the shelter. A notice was posted on the door if shelter was needed who to contact. Chairman Conrad stated that this letter that was printed in the Times Virginian was in error and the site was open and available for shelter.

Chairman Conrad presented the upcoming meetings.

Mr. Tanner made a motion to adjourn the meeting at 8:10 p.m. Mr. Craft seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 8:10 p.m.

Thomas H. Conrad, Chairman

On Monday, March 16, 2009 at 7:00 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Conrad called the Joint Public Hearing to order at 7:06 p.m.

Chairman Conrad called on Mr. Roark to come and brief the Board on the petitions to be heard at tonight's public hearing.

Mr. Roark came forward and explained that the Board would be hearing petition # 09-001 a conditional use permit for Gleaning for the World requesting an off premise sign which has been on the property for approximately five years. Mr. Roark explained that this petition is being heard due to VDOT requiring a permit from this organization and to obtain the proper permit from VDOT, they must go through our office and have approved as a conditional use.

Mr. Roark stated that he had requested Gleaning for the World to cover this sign due to it being set in concrete which would make it difficult and expensive to take down while waiting for the Board to make a decision on this petition.

Mr. Roark explained that the Planning Commission has recommended approval of this petition with one condition and that one condition being the sign would be removed if Gleaning for the World was to relocate.

Chairman Conrad explained the procedure for addressing the Board during the public hearing.

Chairman Conrad called for comments from citizens that would like to speak in favor or against this petition.

Rev. Ron Davidson came forward and stated that he was the founder of Gleaning for the World and stated that he was not aware that he needed a permit for this sign and apologized for not going through the proper channels for this sign.

Rev. Davidson gave a brief presentation on what Gleaning for the World has accomplished and done for our fellow man all over the world.
Rev. Davidson stated that the sign is very important to help the truckers to find their organization.

Again, Mr. Davidson apologized for not following the proper procedure for their sign and asked the board to consider approving their request.

Chairman Conrad called for other comments, hearing none, the Public Hearing closed at 7:10 p.m.

Thomas H. Conrad, Chairman

On Monday, March 23, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a special called meeting in the County Administration Conference room located on 153A Morton Lane, Appomattox, Virginia 24522

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. Samuel E. Carter – Courthouse District
Mr. William H. Craft –Appomattox River District
Mr. Russell H. Moore – Piney Mountain District

Absent: Mr. Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Alice Rockefeller – Landfill Supervisor
Mike Carvell – Draper Aden
Vicky Phelps – Administrative Assistant

Chairman Conrad called the special meeting of the Appomattox County Board of Supervisors to order at 6:00 p.m. and then introduced Mr. Mike Carvell with Draper Aden and asked him to report on the bids that have been received for the convenience center upgrades.

Mr. Carvell stated that they had received seven bids and the bids ranged from $154,696 to $246,478. Mr. Carvell stated the low bidder was Layne Construction and Excavating Co. with a bid price of $154,696.

Mr. Carvell stated that Draper Aden has reviewed the bid documents and qualification statement, and they appear to be in order, therefore Draper Aden Associates recommends that Appomattox County award the contract to Layne Construction and Excavating Co. for $154,696.00.

Chairman Conrad stated that he was going to give the Board a chance to look over the hand out that has been provided by Draper Aden and ask any questions that they may have.

After discussion from the Board, Mr. Craft made a motion to accept the low bid of Layne Construction in the amount of $154,696.00. Mr. Moore seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the second item on the agenda – Non-Profits Use of Convenience Sites.

Chairman Conrad called on Ms. Rockefeller to come before the Board to discuss waiving fees for certain non-profit groups.

Ms. Rockefeller stated that the Appomattox County Landfill has been accepting non-profit organizations waste at the landfill and years ago the Board agreed to waive fees for certain organizations since they were non-profit. Ms. Rockefeller stated that since we have now closed the landfill, these organizations are considered a business and we are no longer accepting their trash and they will need to take their waste to the Regional Landfill. Ms. Rockefeller stated that Appomattox County will continue to accept their recycle material as we do for any other business. Ms. Rockefeller stated that she had checked with surrounding counties and they do not give a price break to these non-profit organizations they are charged as a regular business. Ms. Rockefeller stated that Lynchburg City does pay the disposal fee for some of

their non-profit organizations, but she is not sure what their procedure is. Ms. Rockefeller stated that she wants the Board to tell her what they want her to do at the Appomattox County Landfill.

Ms. Ferguson stated that the County has always paid this by accepting the trash at no cost, Ms. Rockefeller stated that we have no control on what they will be taking to the Regional Landfill and when we were accepting it at Appomattox County we only accepted trash from our County.

Ms. Rockefeller stated that some of these businesses that were exempt from paying in Appomattox also have businesses in Lynchburg and other counties and we have no way of knowing where the waste comes from and may end of paying for it for another county.

Ms. Rockefeller explained that Appomattox County Landfill is still accepting recycle materials, since the closure, from area businesses.

Mr. Carter asked if the County charges churches and Ms. Rockefeller stated that we do charge churches the same as a business.

Ms. Ferguson stated that the only two businesses that do not pay are Gleaning for the World and the Salvation Army, because they had come before the Board and requested that they be exempt from these fees.

After lengthy discussion from the Board, Mr. Carter made a motion to eliminate waiving fees and instruct Gleaning for the World to carry their waste to the Regional Landfill and to continue bringing their recycle to the Appomattox County Landfill and to treat Salvation Army as all other businesses and have them carry their waste to the Regional Landfill. Mr. Craft seconded Mr. Carter's motion. Hearing no further discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Carter asked Ms. Ferguson to send out letters with instructions according to the approved motion.

Chairman Conrad next stated that Ms. Rockefeller needs guidance from the Board on how they would like her to handle brush and wood at the landfill now that it is closed.

Ms. Rockefeller stated that the landfill has always accepted wood and they would contract someone to come and grind it and then haul.

Ms. Rockefeller stated that the landfill accepts an elite amount of wood and will not accept treated, painted or pressed wood due to state regulations. Ms. Rockefeller stated that on March 1, 2009 when they closed the landfill they also stopped accepting wood and brush since it is unclear to citizens as to what is acceptable.

Ms. Rockefeller stated that a box will be at the landfill and also at each site for wood and then we will haul to Lynchburg so there would be no questions as to where it needed to go, since in the last year the price to haul this has become astronomical. Ms. Rockefeller stated that the region has now contracted out chipping for a reasonable price and we are members of the region so we can get the contractor to come to Appomattox County for the same price as for Regional Landfill. Ms. Rockefeller stated that now she would not have to haul to Lynchburg she could take to landfill and have contractor come here for the

same price. Ms. Rockefeller wants the Board to make the decision as to whether the County will also do this for businesses and not just citizens.

After a lengthy discussion, it was the consensus of the Board for Appomattox County Landfill to continue taking wood and brush from citizens but have businesses take wood and brush to Lynchburg.

Chairman Conrad next stated that Ms. Rockefeller is also requesting guidance from the Board on the operation hours for the convenience sites and the cost which is associated with each of the proposed scenarios. This information is on the hand out that has been provided by Ms. Rockefeller.

Ms. Rockefeller explained the different options that the Board could work with on the hours for the convenience centers. Ms. Rockefeller stated that the Board could approve the sites to be open seven days a week twelve hours a day, which she feels is not necessary. Ms. Rockefeller stated that based on the amount of waste that is brought into the landfill, she can tell when the sites are used and not used. Ms. Rockefeller stated that the weekend is the biggest time that the sites are used. Ms. Rockefeller explained that if the sites are open Monday – Saturday from 7am to 7pm and on Sundays from 9am to 3pm it will cost us approximately $292,000 in salaries and this does not include operation expenses. Ms. Rockefeller next explained if the sites closed at 5 pm from November 1 – February 28 the approximate cost of salaries would be $279,000. Ms. Rockefeller also gave an option of closing sites on Wednesdays which would then cost the County approximately $254,000 in salaries. Ms. Rockefeller's last scenario was to close on Wednesday and also close at 5pm from November 1 – February 28 and the cost would be approximately $243,000. Ms. Rockefeller stated that these prices do not include any operational cost such as electric, phone, porta potty or supplies.

Chairman Conrad stated that he does not think it would be such a good idea to close on Wednesday's. Ms. Rockefeller stated that although convenience centers are closed on Wednesday's the landfill would remain open on Wednesday's and if there was an emergency to get trash taken off it could be taken to the landfill. Ms. Rockefeller stated that currently they do not haul trash on Wednesday's and it is treated as a maintenance day to get things in order for the rest of the week.

Ms. Rockefeller stated that she feels 99% sure that even with Wednesday closings, it will work and will also save the County approximately $50,000 dollars.

It was the consensus of the Board to direct Ms. Rockefeller to follow the following hours of operation at the convenience centers. Open on Monday – Saturday from 7am – 7pm closed on Wednesday's and close at 5pm from November 1 – February 28th. This is an approximate cost in salaries of $243,000.

Ms. Rockefeller stated that once these sites are open and available she will be bringing in her landfill employees at 7am also to coincide with convenience center hours.

At 6:50 p.m. Mr. Carter made a motion to close the special meeting and recess to the School Board office for a joint meeting with Appomattox County School Board. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner absent.

Thomas H. Conrad, Chairman

On Monday, March 23, 2009 at 7:00 p.m. the Appomattox County Board of Supervisors held a joint meeting with the Appomattox County School Board at the Appomattox County School Administration Building located at 316 Court Street, Appomattox, Virginia.

Present: Thomas H. Conrad – Falling River District
Samuel E. Carter – Courthouse District
William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District

Absent: Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant

Also Present: Dr. Aldridge Boone – Superintendent
Bobby Waddell – Falling River District
Robert Mitchell – Courthouse District
Amy Martin – Piney Mountain District
Stacy Garrett –Wreck Island District

Absent: Wes Williams – Appomattox River District

Chairman Conrad called the Appomattox County Board of Supervisors to order and Robert Mitchell called the School Board meeting to order.

Mr. Mitchell greeted the Board and the public and then turned the meeting over to Dr. Boone, Superintendent.

Dr. Boone began with reflecting back on some successes from the past few years. Dr. Boone stated that all Appomattox schools are accredited for six years, with three out of four schools that met Adequate Yearly Progress and also we are one of twenty four school divisions in the Commonwealth that met all SOL and NCLB requirements for at least two consecutive years.

Dr. Boone stated that AES is one of the 544 schools to receive the 2009 Virginia Board of Education Excellence Award. The ACPS is one of 24 schools in the division to receive the 2009 Virginia Board of Education Excellence Award.

Dr. Boone stated that in sports the boys and girl's basketball and football teams went to regional play, the boys track team won State A-Invitational and the girls placed 3rd. The Band won numerous competitions including placing five members on the District level band and one on the State Band.

Dr. Boone continued on the successes of the schools by explaining that ACPS was awarded 2009 SVTC School Division Technology Award. Dr. Boone stated that 414 students had perfect scores on the SOL's.

Dr. Boone stated that he feels that these accomplishments have been achieved by having a hard working and dedicated staff. Dr. Boone also contributes the success to small class sizes and services to students, early interventions, curriculum alignment work, professional development of the school division and the ongoing assessment of student achievement and effective uses of instructional technology.

Dr. Boone next explained the budget goals as being able to maintain salaries and benefits attain and maintain student teacher ratio not to exceed 18:1 at elementary and 25:1 at secondary level. Dr. Boone would like to meet program and staffing requirements for federal and state, being able to provide adequate, safe, clean facilities and continue to maintain technology support.

Dr. Boone next explained some of the budget challenges as being ADM loss adjustment, state funds targeted to specific areas, anticipated loss from state and local revenue, limited discretion in use of stimulus funds, being able to maintain theFY09 levels of pay for all employees, and trying to eliminate positions without eliminating people.

Dr. Boone stated that some budget unknowns are the federal funding (maintenance of effort), federal stimulus funding, employee health insurance increase (actual rate) and the payout for unused sick leave due to retirements.

Billy Perrow explained the average daily membership (ADM) is how we are funded by the State and based on the past twelve years Appomattox County has had a major decline in membership.

Dr. Boone explained that the proposed budget is based on the ADM of 2130 students, while the States projection for enrollment is 2109 students which he feels is low.

Dr. Boone next explained the current revenue document uses conference budget, prior year federal revenues, reduced Medicaid dollars and the Laurel reimbursement (150,000), $11,000 local funding for federal matches, $73,000 local funding for preschool handicapped (which is a federal mandate), and 2130 enrollment. Dr. Boone explained that State has a sales tax projection being reduced by $67,000 and basic aid has increased $50,000, some additional help (Lottery) is amounting to approximately $146,000.

Dr. Boone explained the local textbook match has been removed in the amount of $61,000, a net local matching decrease of $45,000, the State funding cap loss in the amount of $348,000 has been removed and stimulus money outside of education is added in the amount of $909,000 and they are still waiting for direction on this.

Dr. Boone briefed the board on the projected revenue figure as being approximately $20,069,508.

Dr. Boone called for any questions on the revenue that the Board may have, hearing no comment, he began briefing the board on the budget expenditures.

Dr. Boone began with the current expenditures which is $400,000 reduction from prior year for buses, trucks, and other equipment, $45,000 reduction in fuel costs, $175,000 reductions in technology hardware and software, $66,000 reduction of four year old program to stated funded level, $200,000 reduction in budgeted health care premium costs and position reductions, $600,000 reduction in budgeted positions not filled and known retirees (18 positions), $5,000 reduction adult education program, $6,000 remove census expenditure line, $50,000 increase in unused sick leave costs for known retirees, $179,000 increase in laurel costs, $87,000 increase in non-salary lines to reflect increased cost (mostly electricity) and then $5,000 increase in new line for field maintenance. Dr. Boone stated the budget expenditures include a 10 percent health insurance premium increase and $40,000 for new health insurance subscribers.

Dr. Boone explained that other areas for further consideration would be to maintain salaries and benefits, reduce or eliminate additional staff positions which would be 1 – secondary guidance position, 3 ACHS teacher positions, 1 SBO director position, 1assistant principal (Elem), reduce all teacher contracts to 200 days and eliminate selected extracurricular stipends. Dr. Boone also stated that some areas for consideration will be to reduce conference travel, eliminate tuition assistance, and to reallocate unused CIP funds.

Dr. Boone explained that in the proposed FY2010 budget they are proposing to extend the athletic director salary to a twelve month position, a new coach scale (based on new minimum wage) and athletic field maintenance.

Dr. Boone next explained what Appomattox County spends per pupil and how we rate compared to other school divisions.

Dr. Boone also discussed the CIP funds and again reminded the Board of the critical needs.

Dr. Boone concluded his program by stating that the FY2010 budget is a work in progress and the next step would be to adopt the budget and then submit to the Board of Supervisors on or about April 9, 2009.

Dr. Boone next called for any questions or concerns that the Board may have.

Mr. Craft questioned if the School Board would need to hire new teachers. Dr. Boone responded that he anticipated having to possibly fill several positions at AMS, but his goal would be if there are more retirees than the 18 already anticipated to not replace them.

Ms. Martin stated that the staff has done a great job in dealing with the budget cuts, however she hopes the increase in class size will not be detriment in the long run.

Mr. Carter questioned if there is no way to know about the health insurance premiums. Mr. Perrow stated that the actuarial prediction is a 16% increase; however if there are no major health issues this year, it may be reduced.

Mr. Conrad questioned that if the projected budget is based on an ADM of 2130 and in actuality it is 2109 what would happen to the difference? Dr. Boone explained that it would be added to the deficit as it has been done in previous years.

Dr. Boone explained that the current student count is 2176 and he feels that the decline in student ADM is due to high population of private school and home schooled students.

Dr. Boone called for further questions that either Board may have, hearing none, Mr. Craft made a motion to adjourn at 7:50 p.m. Mr. Carter seconded the motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye.

Thomas H. Conrad, Chairman

On Wednesday, March 25, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a special called meeting in the County Administration Conference room located on 153A Morton Lane, Appomattox, Virginia 24522

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. Samuel E. Carter – Courthouse District
Mr. William H. Craft –Appomattox River District
Mr. Russell H. Moore – Piney Mountain District
Mr. Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant

Chairman Conrad called the special called meeting of the Appomattox County Board of Supervisors to order at 6:00 p.m. and called on Mr. Earl Dickerson to come and speak with the Board of Supervisors on the Route 460 Waterline project.

Chairman Conrad thanked Mr. Spiggle for the hard work that he had put forth towards the Route 460 water line project.

Mr. Dickerson then came forward and introduced Mr. Shannon Petiola who has also been working with the water line project.

Mr. Dickerson stated that we have 52 percent of the available businesses and homes to commit to the waterline and the requirement by the Health Department is to have 51%. Mr. Dickerson stated that 40 homes and 11 businesses have committed. Mr. Dickerson stated that we cannot stop at the 51% the Health Department would like us to keep trying to get 80% commitment which would make the waterline more feasible.

Mr. Dickerson stated that he is finished with the application and he will make the deadline as requested by the Health Department.

Mr. Dickerson gave a summary of what is included within the application that will be submitted to the Health Department.

Mr. Dickerson stated that the interest rate as of now is 3% from Virginia Resource Authority Funding and Dale Kitchen, engineer with the Health department in Lexington had called and told him to figure at 3% for 20 years and no longer than 30 years in terms of payback. Mr. Dickerson stated that the interest rate for Rural Development is 2.75% and their term is 40 years as a fixed rate.

Mr. Dickerson stated that several scenarios have been looked into as far as getting the water from Campbell County to the end of the line. He stated that they are trying to do this with the least amount of hardware and infrastructure.

Mr. Dickerson stated that after meeting with Campbell County this week he found that they have some of the same issues as we do such as needing customers within their Concord area, because they have a 300 thousand gallon tank and not enough customer base to turn the tank over plus the

300,000 gallons that is laying in the lines coming from Rustburg. Mr. Dickerson stated that they are thinking about running their tank at half capacity which works for them but is an issue for Appomattox.

Mr. Dickerson stated that he is confident that in running the water models Appomattox will be able to have 750 gallons of water a minute and maybe even at 1000 gallons a minute without having a pump station in the Concord area at the current demand that Concord has and the demand that Appomattox would have. As the demand picks up we will have to have a pump station to be online and running, but when the pump station is online and running it must have somewhere to run to and you must also have control systems in order to control the speed so that it is not trying to deliver 900 gallons a minute every time it cuts on. If we have a tank to be filled that will work and traditionally that is what has been done.

Mr. Dickerson stated that to keep additional cost down you could do two different things. One with stimulus funds, run the water line and not have a pump station or tank or hopefully get enough funds to have a pump station and tank and not turn them on but bypass them and not even put water in the tank, because with water in the tank what are we going to do with the water with only 51 customers and the Health Department telling you that you must turn the water over every two days.

Mr. Dickerson stated that we may use about 15 thousand gallons of water a day which would take 20 days to turn over the system, which the Health Department is not going to allow, so you will be looking at wasting some water periodically to keep the water fresh in the line.

Mr. Dickerson stated that the preliminary engineering report will show that Hurt & Proffitt is proposing a pump station with tank in the Spout Spring area that would provide pressure for fire flow.

Mr. Dickerson stated that Hurt & Proffitt has not started on the approved Master Plan due to finishing the application to submit to the Health Department, but this report should give some idea of what we are dealing with as of now in terms of the main line from Concord to the Town.

Mr. Roark stated that the Board needs to consider in the Master Plan how much and where you want to expand the water project. Mr. Roark stated that you would have to expand to make it more favorable to work and we have got to have customers and the Board needs to consider where you want to go financially with this project.

Mr. Roark stated that the Board could survey citizens in the potential areas of possible water connection and see who is interested.

Mr. Dickerson stated that he has received a letter from the Health Department stating that 29 documented wells have gone dry within the Route 460 Corridor and also 19 drain fields have failed in the same area. Mr. Dickerson stated that it is not a health issue at this time, but we have

received a letter from Dr. Gately, Central Virginia Health District, stating that this water line is needed.

There was discussion on whether the Board should approach local legislators to discuss this project.

Mr. Dickerson and Mr. Roark answered questions from the Board.

Mr. Conrad asked what the county is competing against to get these stimulus funds. Mr. Dickerson stated that the stimulus is 21 million dollars and have certain criteria that would need to be satisfied, such as green projects. Mr. Dickerson stated that they want to see innovation. Mr. Dickerson stated that he is working with a County that actually ran out of water for several weeks and they will be given special emergency funds from Community Development Block Grants that Appomattox would not be able to receive. Mr. Dickerson stated that there are going to be all kind of projects from every direction competing for this stimulus money.

Mr. Dickerson stated that there are no guarantees that we will receive any funds and they were told this in the meeting that he attended.

Ms. Ferguson ask Mr. Dickerson to bring to the Board the information that he provided during the interview process and let the Board review this before we start sending surveys to other locations to see what interest we have. It is possible this information will give some insight on where we should begin.

Chairman Conrad stated that maybe some board members need to take a trip to Richmond to talk with legislators.

It was the consensus of the Board to change the resolution of support from the 3.5 million to 4 million.

Mr. Tanner made a motion to amend the resolution of support from 3.5 million to 4 million. Mr. Carter seconded Mr. Tanner's motion. Mr. Craft asked if that would cover the tank that would go in Spout Spring. Mr. Dickerson stated that it would cover the tank. Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Roark stated that there would possibly be information that would be provided at many of the Board meetings for approval and also things that may need to be acted upon in a very quick manner.

Mr. Roark stated that the Board needs to have the administrative infrastructure in place so that we are ready to go.

Ms. Ferguson stated that at this time Mr. Roark is really tied down with water line and the Board will need to have someone in place so that it can relieve some of the pressure off Mr. Roark.

The Board thanked Mr. Roark for the hard work that he has put forth in this project.

Being no further business Mr. Craft made a motion to adjourn the special called meeting at 6:55 p.m. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Thomas H. Conrad, Chairman

On Wednesday, April 1, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a special called meeting in the County Administration Conference room located on 153A Morton Lane, Appomattox, Virginia 24522

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. Samuel E. Carter – Courthouse District
Mr. William H. Craft –Appomattox River District
Mr. Russell H. Moore – Piney Mountain District (arrived at 6:30 p.m.)
Mr. Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant
Mr. Johnnie Roark – Planner
Mr. John Spencer – Assistant County Administrator

Chairman Conrad called the special called meeting of the Appomattox County Board of Supervisors to order at 6:00 p.m. Chairman Conrad stated that he and Ms. Ferguson had met with Davenport today and they will be attending the Board meeting on Monday, April 6, 2009 to meet with the Board and will be providing some information that he feels will be very helpful in working with the budget.

Chairman Conrad thanked Ms. Ferguson and Ms. Phelps for the hard work and time that they had put into working on this budget and he then turned the meeting over to Ms. Ferguson to begin budget discussion.

Ms. Ferguson started by saying with a few exceptions like the Economic Development budget, and a small budget for Emergency Services that she has recognized had been left out, everything else is in the budget.

Ms. Ferguson stated that based on this budget and proposed revenues it appears that the Board will need to increase real estate tax rate by six cents per one hundred.

Mr. Craft asked if the increase of six cents would be giving any extra in the budget, Ms. Ferguson stated that it would just balance the budget with no extra funds.

Ms. Ferguson stated that she had not received anything official from the school on their budget, so she has used a $21 million figure for their budget and a $4 million dollar figure as the local effort. Ms. Ferguson stated that in the joint meeting with the School Board, Mr. Waddell requested that the Board at least level fund them which would be $4,196,387 in local funds. Ms. Ferguson stated that she realized that this was not a formal request.

Mr. Tanner questioned when we would know what the School would be asking. Ms. Ferguson stated that at the joint meeting it was stated that they hoped to have the budget figures by April 9, and she does not think anything will be provided any sooner.

Ms. Ferguson stated that there are still a lot of questions on how the stimulus money can be spent and that they are not going to be able to present a budget until some of those questions are answered.

Ms. Ferguson stated that the revenues on interest earned is down b y $200,000 and will not pick up during this fiscal year.

Ms. Ferguson stated that there is a loss in sales tax but we have not noticed this drastically yet.

Ms. Ferguson stated that she had not built in a ten percent increase for health care cost, however after the joint meeting with the School Board she found that they had built this increase into their budget; she had gone back and put it in the Board budget. Ms. Ferguson stated that she did not put this in the budget earlier due to thinking the cost would be passed on to the employee.

Ms. Ferguson stated that no salary increases had been put into the budget.

Ms. Ferguson reminded the Board that they must give a 30 day notice if they are anticipating a tax increase.

Chairman Conrad stated that we need to do as much cutting as we can due to having an effect on a lot of people with the economy as bad as it is. Chairman Conrad stated that he feels the Board has a responsibility to keep the tax rate as low as we possibly can.

Ms. Ferguson explained what she had included in 1101-3002 Professional Services.

Mr. Carter suggested cutting 1101-5504 travel in the amount of $2,000.

Mr. Carter suggested cutting 1201-5504 – travel convention/education in the amount of $2,366. Mr. Carter suggested that if anyone would like to attend a VACo conference they should pay their own expenses. This would leave the balance as $2634

Ms. Ferguson stated that she had increased the budget for legal services and does not see any way to cut this budget at this time.

Ms. Ferguson stated the she hoped to not spend more out of the legislative audit budget than was spent last year, however there is no way to know what you may need, so she suggested keeping the funds in this budget as submitted.

Chairman Conrad questioned the $84,161 that is in 3102-7005- Motor Vehicles and after lengthy discussion it was suggested cutting one police car from the budget in the amount of $27,728.

After discussion of 3103 – Sheriff (town) it was decided for Ms. Ferguson should speak with the Town to see if they would pay the difference. Ms. Ferguson stated that she has researched the agreement and it states that the Town would give the County all 599 funds received, but it does not state that they will give any more.

Ms. Ferguson explained how she had pulled Pamplin Volunteer Fire Department and EMS out of Appomattox County Volunteer Fire Department budget due to the Town reimbursing the County for a quarter of the expenses for Appomattox Fire Department and it was getting to difficult to keep Pamplin funds separate from Appomattox. Ms. Ferguson stated that she had increased the donations to all Volunteer Fire Department to $3000 instead of the normal $2000 that has previously been given.

Mr. Tanner questioned what was included in 3201-5605 donation/meal. Ms. Ferguson explained how she had come up with the $3200 figure with $3000 being their donation and the $200 going towards a meal for the department.

The Board was in agreement to increase the local donation from $2000 to $3000 for surrounding counties Volunteer Fire Departments and EMS.

Ms. Ferguson reminded the Board that the Rescue Squads are participating in the Revenue Recovery, so they are billing for services.

Ms. Ferguson stated that she had recognized that 3605 Emergency Services budget was left out so $12,440 would need to be added to the budget for this department.

Ms. Ferguson explained that she has a scheduled meeting with Mr. Ramey to discuss the tire situation and make sure that they are still solid and will continue to function. Ms. Ferguson stated that he is behind on his payments so they will be discussing this at their meeting.

Ms. Ferguson stated that in the general properties budget 4302 the general liability insurance was completely left out of his budget so that has been put back into the budget for this year.

Ms. Ferguson stated that she had not heard from the Health Department, so we have funded them the same amount as we funded last year.

Ms. Ferguson stated that 5202 – Central Virginia Community Services has asked for increase from $38,555 to $40,228. Mr. Carter questioned if their services include the Town of Appomattox. Mr. Ferguson stated that they will see any citizen and even if we were to pull out they would continue to see clients.

Ms. Ferguson gave an explanation of 5310 – Comprehensive Services budget and explained that we are reimbursed for a portion of these funds. Ms. Ferguson stated that Ms. Stansbury is doing a great job in the position.

Ms. Ferguson explained that 6401 – the extra $10,522 has been requested to cover expenses for the Culinary Art Building over the next several years.

Ms. Ferguson explained that 7101 – Sports Complex Fund is all donated or grant funds and it is budgeted to keep from having to supplement when funds are used.

Mr. Tanner suggested removing $3000 from 7102-5412 and to also remove $2000 from 7102-8001.

Ms. Ferguson stated that she would talk with Ms. Dixon on her anticipated funds and expenditures and if she does not anticipate using them remove from the budget.

Ms. Ferguson explained that in 7109 -contributions the only donations given are to those who we gave to in FY09.

Ms. Ferguson explained that she had added $25,000 in 8105 – Economic Development for work that is needed on the pump station.

Ms. Ferguson stated that Phillip Moore is currently working on the Courthouse lawn as a project and is really hoping to make it look attractive, which he is doing in his spare time.

Ms. Ferguson next explained the capital projects such as Regional Jail, the Landfill and the CVCC Phase II bond which is working on the hallway and several class rooms and roof replacement on the auditorium. Mr. Spencer gave explanations as to what is involved in the CVCC Phase II Bond. Mr. Spencer stated that the actual renovations of the class rooms are completed.

Ms. Ferguson stated that she had put $21,000,000 in the school budget, but she has not received any documentation from the School Board.

Ms. Ferguson stated that the DSS budget has increased but not by local money and that actually the local funds are $558 less than last year.

Ms. Ferguson stated that she is still waiting to hear from the School Board and the Board will also be speaking with Davenport on April 6, 2009.

Mr. Craft asked when we anticipate having a public hearing on the budget. Ms. Ferguson stated that we will need to advertise the public hearing as soon as possible.

Chairman Conrad stated that in the School Budget we need to consider what the state is projecting versus what Dr. Boone is projecting.

Mr. Tanner stated that he is more comfortable with going with State projections on the school budget also.

Mr. Carter questioned what the equivalent of one cent increase on real estate tax would be? Ms. Ferguson stated that one cent equals to $140,000.

Ms. Ferguson stated that when any member of the Board is looking through the information and have any questions please give her a call and she will be glad to answer any questions they may have.

Ms. Ferguson stated that we can advertise the tax rate at a rate and then if we feel we can lower the rate we will be able, we just cannot raise the rate higher than what was advertised.

Ms. Ferguson reminded the Board of the upcoming meeting on Monday, April 6, 2009.

Mr. Craft made a motion to adjourn at 7:50 p.m. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Thomas H. Conrad, Chairman

On Monday, April 6, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT:	William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District Samuel E. Carter – Appomattox Courthouse District
ALSO PRESENT:	Aileen T. Ferguson - County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. Mr. Craft delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda, Ms. Sara Henderson was added to the agenda under appearances and Administrative Item #6A – VDOT was added.

Hearing no public comment, Chairman Conrad called on Mr. David Rose with Davenport and Mr. Dan Siegel with Sands Anderson Marks & Miller to come and speak with the Board.

Mr. Rose stated that he would like to walk through the presentation to give an overview of some opportunities and to give some perspective on the County as we are in the midst of the budget season.

Mr. Rose stated that he has set this presentation up in four sections and it will be very informal. If the Board should have any questions he would be glad to answer and if he cannot answer the questions he will get an answer and get back with the Board.

Mr. Rose stated that the County is facing a series of funding requirements over the next six to eighteen months including the general fund debt service of $2.4 million in Fiscal Year 2010, which is nearly identical to the FY2009 Debt Service Requirement of $2.47 million and In addition financing for approximately $3.4 million in new money project cost to be obtained for Fiscal Year 2010. Mr. Rose stated that although it is expected that this project will produce revenue for the County to offset debt service over time, the plan of finance assumes no such revenue is available and no federal stimulus funding is assumed to be available for this project.

Mr. Rose stated that some key considerations first being the Fiscal Year 2010 budget will be one of the most difficult budges in recent memory given the current economic recession. The second point is because of the Counties historically prudent financial management, the County is in a strong position to potentially access the credit markets with a favorable investment grade credit. Mr. Rose stated that the third point is that the County has enjoyed stable and historically solid general fund expenditures.

Mr. Rose stated that the fourth point is that the County currently has 18.9 million of debt outstanding, which will be retired in full by FY2023, and, as a result of the rapid debt repayment timetable, the County's payout ratio on existing debt is above 85%, which is well above the peer group average of 50%-60%.

Mr. Rose stated that finally the ability to conserve cash flow in the coming fiscal year(s) will be critical to maintaining budget flexibility and credit quality.

Mr. Rose stated that with all that being said they also have some goals and objectives which he will not go over all of them but essentially they wanted to try to identify the financing option(s) that will assist the County in addressing critical FY's 2010, 2011, and 2012 budgetary needs and preserve its undesignated fund balance. Mr. Rose stated that in addition they wanted to maintain

the County's undesignated fund balance at the current level or above for the general fund and to avoid unnecessary increases to the County's tax rates.

Mr. Rose next discussed the total existing County debt service and they have included all the County debt including the schools in this report.

Mr. Rose next discussed opportunities to refinance/restructure the County's tax-supported debt in order to free cash flow in FY's 2010-2012.

Mr. Rose stated that they are going to show how the County can strategically structure the new money portion, of approximately $3.4 million, so that existing and new money debt service combined does not exceed the current existing debt service level which does not increase future debt, and provide needed capital projects without increasing taxes.

Mr. Rose gave the potential savings from proposed restructuring.

Mr. Rose stated that their approach allows the County to achieve overall debt repayment that does not overburden current taxpayers, whereby annual debt service requirements never exceed current levels, and still maintain a strong payout ratio, well above 50%. The county would overall have a final maturity on restructured debt that does not extend beyond current final maturity of FY 2023. The county would have a significant annual cash flow relief in FY's 2010-2013.

Mr. Rose explained the peer group comparison and the County's financial position compares favorably to a peer group comprised of Virginia counties. The peer group consists of both rated counties with moderate population size and unrated counties with smaller populations and /or geographic proximity to Appomattox. Mr. Rose stated that the County is positioned well compared to our peers and we are in a competitive position.

Mr. Rose next reviewed our undesignated fund balance compared to expenditures.
Mr. Rose next stated that the County's outstanding debt, when you compare it to the accessed property the County is right on target. Mr. Rose stated that when the board decided to do some of the school programs this will go up.

Mr. Rose stated that the debt service is paid off so rapidly that it is actually hurting the County, and then further explained the payout ratio in more detail.

Mr. Carter asked if a lot of this is a timing issue. Mr. Rose stated that yes it is a timing issue and by doing this restructure we are positioning ourselves in a good position when the school needs funds.

Mr. Rose then briefed the Board on the trends of Appomattox County and explained that this will be helpful at a later date with the school program.

Mr. Rose next proposed the recommended course of action which would be to approach local, regional, and national financial institutions through a private placement process and at the same

time obtain a formal credit rating for the County. Mr. Rose stated that they would come back on May 4th with a thorough examination of the aforementioned alternatives; Davenport would provide the County with a recommendation regarding its most favorable strategic alternative.

Mr. Rose stated that Davenport at the end of May/June would be able to fulfill all legal requirements to complete the restructuring and new money financing.

Chairman Conrad stated that we are looking at making the County as flexible as possible to deal with the future but at the same time not to make it cumbersome or burdensome to the tax payers.

Ms. Ferguson stated that we are looking at this strictly to position ourselves better because of the situation with the economy being the way it is now, and stated that you will be seeing, as David said an impact later on the capital improvement plan for school projects.

It was the consensus of the Board for Davenport to proceed with the restructure.

Chairman Conrad called for questions from the board hearing no questions; Chairman Conrad thanked Mr. Rose and Mr. Siegel for their presentation and valuable information.

Chairman Conrad next called on Ms. Sara Henderson, Commissioner of Revenue to come and speak with the board to answer any questions that the Board may have on the estimated tax for FY2009.

Ms. Henderson thanked the Board for the opportunity to speak with them about the projected revenue. Ms. Henderson first pointed out the estimated loss revenue due to land use will be approximately $218,483.17. Ms. Henderson then explained how she was able to calculate this figure and feels confident that this figure is correct.

Ms. Henderson stated that she is sure the Board is aware a lot of citizens have to deal with job loss and as a representative of the County she asked the Board to keep the tax rate as low as possible.

Ms. Henderson stated that the personal property values are down twelve percent due to the difficult economic times. Ms. Henderson also asked the Board to change the tax due date to June 27th, 2009 to give her office extra time to work on these and process applications.

Chairman Conrad called for questions from the Board.

Mr. Carter asked Ms Henderson how many applications were received for land use. Ms. Henderson stated 522 applications have been received.

Chairman Conrad asked how long it takes to process an application. Ms. Henderson stated that without any interruptions it takes approximately 20 minutes per application.

Ms. Henderson walked the Board through the application process.

Mr. Tanner complimented Ms. Henderson and her staff on a job well done.

Chairman Conrad also commended Ms. Henderson on a job well done.

Chairman Conrad presented Administrative Item #1 – Roofing contract for Carver Price Educational Complex and gave a brief explanation of the request. Chairman Conrad stated that staff is recommending entering into a contract with John T. Morgan to re-roof both the remainder of the third grade wing and the auditorium at a total bid cost of $99,483.

Mr. Craft made a motion to accept the bid of John T. Morgan with a bid price of $99,483. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none; he called for a roll call vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr.

Chairman Conrad presented Administrative Item #2 – Proclamation for Central Virginia Community Services Board and explained that they would be celebrating 40 years of service to citizens of Appomattox County and surrounding counties on April 22, 2009. They are requesting that the Board adopt a proclamation acknowledging their service over the last 40 years. Chairman Conrad stated that staff is recommending adopting the proclamation and then called for discussion.

PROCLAMATION
CENTRAL VIRGINIA COMMUNITY SERVICES
40TH ANNIVERSARY

Whereas, the Central Virginia Community Services has faithfully served the counties of Amherst, Appomattox, Bedford ad Campbell and the cities of Lynchburg and Bedford, for 40 years, providing quality behavioral health services to thousands of residents of all ages; and

Whereas, the mission of Central Virginia Community Services is to "support and promote the health, independence and self-worth of individuals and families in Central Virginia by providing a continuum of community-based prevention, early intervention, aftercare and psychosocial rehabilitation services for persons affected by mental illness, intellectual disability, substance use and co-occurring disorders; and

Whereas, Central Virginia Community Services was established on April 18, 1969, employing a staff of five with a budget of $18,350.00 initially providing services for the treatment of mental illnesses and intellectual disabilities; and

Whereas, during the past year, over 650 Central Virginia Community Services' staff members provided services to 7,603 individuals experiencing problems with mental illness, substance abuse and intellectual disabilities, CVCS programs are provided at 23 sites throughout the Region 2000 area; and

Whereas, Central Virginia Community Services continues to provide programs and services to children, adolescents, adults and their families, including emergency services, assessment services, psychiatric evaluation and medication management, crisis intervention, crisis stabilization residential services, detoxification, nine group homes, day treatment services, assertive community treatment services, intensive in home services, psychosocial rehabilitation services, mental health supports, early intervention services, case management, outpatient counseling services, and prevention programs; and

Whereas, Central Virginia Community Services' staff seeks to provide services in a manner that preserves the independence, dignity, choice and privacy of those individuals assisted; and

Whereas, the Board and members of the staff of Central Virginia Community Services continually strive to live up to the CVCS' mission and values, including the CVCS' motto "Quality Care...Changes Lives!"

Now therefore, The Appomattox County Boards of Supervisors issues this proclamation in recognition of the 40th Anniversary of the Central Virginia Community Services and commends the Board and members of the staff for their continuous faithful service to the citizens of Region 2000; and

Directs that a copy of this proclamation sponsored by the Appomattox County Board of Supervisors on April 6, 2009, be transmitted to the Central Virginia Community Services agency.

Mr. Moore made a motion to adopt the proclamation acknowledging Central Virginia Community Services Board for their service over the past 40 years. Mr. Tanner seconded Mr. Moore's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #3 – Department of Social Services; and explained that Ms. Ferguson and Mr. Barry Elder, Social Services Director, have met concerning a rental agreement and have determined that we are unable to enter into a memorandum of understanding concerning the rent for the Social Services Department, due to some current ADA mandates. Therefore Mr. Elder is proposing an alternative solution to paying rent that will not require a MOU. Chairman Conrad stated that staff is recommending accepting Mr. Elder's proposal in lieu of rent. Chairman Conrad called for discussion.

Mr. Craft made a motion to accept Mr. Elder's proposal in lieu of rent. Mr. Carter seconded Mr. Craft's motion. Hearing no further discussion, Chairman Conrad called for a vote. Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye. (MOU on file in the April 6, 2009 Board File)

Chairman Conrad presented Administrative Item #4 – Utility Project Matters and explained that staff is requesting the Board to schedule a special called meeting to go over a number of matters that have come up in the last month related to utilities. Chairman Conrad stated that staff is requesting that this meeting be scheduled as soon as possible. Chairman Conrad called for discussion.

Mr. Overstreet stated that he needed some additional time to go over materials before the Board meets.

Mr. Tanner made a motion to schedule a special called meeting on Monday, April 13, 2009 at 6:00 p.m. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #5 – Joint meeting between the Board of Supervisors, Planning Commission and the EDA and stated that Mr. Carter had requested a joint meeting to enter into a visioning process for the County. Chairman Conrad stated there has been some discussion concerning developing an agenda for this meeting. Chairman Conrad stated that staff is recommending deciding on a date for this meeting and provide ideas for agenda items that would be discussed by the group. Chairman Conrad asked if the Board would be interested

in having some formal presentation concerning FOIA requests and Conflicts of Interest. Chairman Conrad called for discussion from the Board.

Chairman Conrad stated that based on other matters like utility and budget that we may need to finish these projects before setting a date for this meeting.

Mr. Craft asked when the Board would be meeting to discuss the budget again. Chairman Conrad stated that we are waiting on the School to provide information before scheduling.

Ms. Ferguson stated that the School Board had scheduled April 8, 2009 to finalize their budget.

It was the consensus of the Board to table the joint meeting and place on the agenda in May.

Ms. Ferguson stated that the Board would need to schedule a special called meeting on Tuesday, April 21, 2009 at 6:00 p.m. for a budget work session. It was the consensus of the Board to schedule the special called meeting on April 21, 2009 at 6:00 p.m. at the County Administration Conference Room.

Chairman Conrad presented Administrative Item #6 – Regional Dinner and stated that Board members will need to let staff know if they plan to attend.

Chairman Conrad presented the Consent Agenda.

CONSENT AGENDA
Approval of Minutes
Regular Scheduled Meeting – February 17, 2009

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS
Treasurer
Supplement by consent and appropriate $10,475.00 to 1213-3009 DMV Stops. This will be reimbursed from the person that has the stop placed against them.

Sheriff's Department
Supplement by consent and appropriate $309.38 to 3102-1002 Overtime; $25.63 to 3102-2001 FICA for reimbursement received from the federal government. Also supplement by consent and appropriate $50, 00 to 3102-5409 Police Supplies for payment received for project Lifesaver.

Fire Department
Supplement by consent and appropriate $727.00 to 3202-5309 Fire Fighters Policy to pay premium on an accident policy that covers both fire departments and the rescue squad.

Animal Control
Supplement by consent and appropriate $20.00 to 3501-5402 Food for a donation received.

Refuse Disposal
Supplement by consent and appropriate $217.25 to 4204-3005 Maintenance Service Contract (scales) for reimbursement received from Emanuel tire of Virginia.

Comprehensive Services
Supplement by consent and appropriate $220.50 to 5310-3001 Professional Services for refund received.

Library
Supplement by consent and appropriate $1251.69 to the following line items

7301-5401 – Office Supplies	$463.29
7301-5411 – Books	$236.70
7301-5414 – Pamplin Depot Library	$51.70
7301-5415 – Summer Reading	$500.00

Mr. Carter made a motion to accept the consent agenda as submitted. Mr. Craft seconded Mr. Carter's motion. Hearing no discussion, Chairman Conrad called for Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Informational Items and called for discussion or comments. Hearing none, Chairman Conrad called for Supervisor Concerns.

Mr. Carter stated that in regarding the memo from Congressman Perriello on earmarked funds and the 4-H Club being the only organization in Appomattox County that was listed for any funds, He feels this needs to be addressed with the Congressman or one of his staff.

Ms. Ferguson was instructed to contact Congressman Perriello to get an explanation or details on this.

Mr. Tanner stated that there was an article in the Times Virginian dated February 28, 2009 and a young gentleman by the name of Kyle Primm was among five students at school working on a car during class, and the car's engine caught on fire and actually burned one student's hand. Timmy Garrett with the Appomattox Volunteer Fire Department commended this young man for doing a valuable service by protecting the property of others, the school and everyone's safety. Mr. Tanner stated that he was glad that Marvin had printed this in the paper as we need more young people to step up and this young man did a good job.

Ms. Ferguson stated that in the upcoming meetings the date is showing Monday, April 16, 2009 and it is actually Thursday, April 16, 2009.

Ms. Ferguson stated that she would be contacting the Board members with the time she would be leaving for the Regional Dinner.

Ms. Ferguson reminded the Board that on April 20, 2009 there would be a public hearing at 6:00 p.m. on amendments to Code Chapter 139-Solid Waste.

Ms. Ferguson also reminded the Board that a public hearing had also been scheduled for May 18, 2009 at 6:00 p.m. with VDOT.

Ms. Ferguson reminded the Board of the special meetings that had been scheduled at tonight's meeting. April 13, 2009 at 6:00 p.m. and April 21, 2009 at 6:00 p.m. both of the special called meetings will be held at the County Administration Building Conference Room.

Chairman Conrad called for any other comments that the Board may have. Hearing none, Mr. Tanner made motion to adjourn the meeting at 8:43 p.m. Mr. Carter seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 8:43 p.m.

Thomas H. Conrad, Chairman

On Monday, April 13, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a special called meeting in the County Administration Conference room located on 153A Morton Lane, Appomattox, Virginia 24522

Present: Mr. Thomas H. Conrad – Chairman – Falling River District (arrived at 6:07 p.m.)
Mr. Samuel E. Carter – Courthouse District
Mr. William H. Craft –Appomattox River District
Mr. Russell H. Moore – Piney Mountain District
Mr. Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant

Vice -Chairman Tanner called the special meeting of the Appomattox County Board of Supervisors to order at 6:00 p.m. and then turned the meeting over to Mr. Johnnie Roark, Planner.

Mr. Roark stated that most of the items for tonight's meeting are related and the Board may wish to hear each item as presented and then consider any motions to be made.

Mr. Roark then turned the meeting over to Mr. Earl Dickerson to give a status on the design engineering of the Route 460 Water Project.

Mr. Dickerson stated that he had submitted the application to the Health Department on March 26, 2009 and Hurt and Proffitt, at this time, had not received any written comments back from the Health Department of deficiencies. Mr. Dickerson stated they had addressed everything the Health Department has requested and a copy of what was sent had been given to Mr. Roark.

Mr. Dickerson introduced Mr. Shannon Cotulla and Brian Cossman and stated that Shannon has been working on the design and scheme of the water line from Concord to Appomattox. Mr. Dickerson then turned the meeting over to Shannon to give an update on the design and scheme of this project.

Mr. Cotulla stated that the development of this project had been broken into two sections starting with a crew working with the survey from Concord to Spout Spring and another from Spout Spring to Appomattox. Mr. Cotulla stated that this has worked well, however there has been a hang up with utility locations. Mr. Cotulla stated that Miss Utility has subcontracted out Consolidated Utility Locators to help with location of utilities. Mr. Cotulla stated that Hurt & Proffitt have no way to push this company to work aggressively since they are contracted out by Miss Utility; however, they are making phone calls regularly. Mr. Cotulla stated that lines have been located on the first section to Spout Spring and they are beginning work on the second section. Mr. Cotulla stated that the field survey has been completed other than the location of the utilities.

Mr. Cotulla stated that they anticipate having the survey complete by the end of the month depending on the location of utilities. Mr. Roark stated that the location of utilities may change the time line of what had been expected. Mr. Cotulla stated that he anticipates the location of utilities to be complete within the next two weeks.

Mr. Cotulla stated that they are planning to make a submittal of an application to USDA for funding as well as the Health Department.

Mr. Cotulla stated that the environmental record review has been completed and there are no problems to date with this.

Mr. Cotulla stated that we will need to work more with the soliciting of customers so that we can reach the numbers that the Health Department has requested.

Mr. Spiggle stated the Board may want to consider if there will be another incentive or strategy that can be used to sign on more customers.

Mr. Dickerson stated that we currently have 51 signatures for waterline customers, however we still need more customers and he feels that we will need some kind of incentive for the next step to get the amount of desired customers. Mr. Dickerson stated that the Health Department, in their application, wants the county to continue pursuing customers until they have signed on 80 percent along the line.

Mr. Spiggle stated that there are some people who are not going to sign no matter what you offer them. Mr. Spiggle stated that the Board should be commended for offering the incentive, because he has talked with some citizens on the Concord side that did not get any offer of incentive and he feels that our citizens appreciate the Board offering this.

Mr. Conrad stated that out of all the citizens he had visited with Mr. Spiggle, he feels there are about ten citizens that are not going to sign regardless of the incentive. Mr. Spiggle stated that now they may have had some time to think about this and maybe some of them would change their mind.

Mr. Roark stated that 80 percent of customers are what we are to attempt and would be ideal, however we can operate with less. Mr. Roark stated that this is something the Board needs to consider and what they are willing to offer as the next incentive while trying to achieve this goal. Mr. Roark stated that this is not a decision that has to be made tonight, but it is something the Board needs to consider and be prepared to set at a future meeting.

Mr. Cotulla stated that Hurt and Proffitt have been authorized to work on the water line and pump station and at the last meeting the Board authorized additional funds for purchasing and construction of the tank and while we go forward with grant funds we can go ahead with this project. However, when Hurt & Proffitt stated that they did not have the tank site and design in for the initial proposal, they asked the Board to authorize them to move forward with the design of the tank and acquisition of the tank lot. The Board needs to decide on a location for the tank so that it can be designed. Mr. Cotulla stated that when he goes to the Health Department in May with design plans he would like to have the tank site and pump station site completed. Mr. Cotulla stated that his suggestion would be to secure the tank site now. Mr. Cotulla stated that he is looking for authorization from the Board for Hurt & Proffitt to move forward with the design and acquisition of water tank site.

Mr. Dickerson stated that he would like to take advantage of bidding with the construction community with the economy being the way it is now, since contractors are looking for work.

Mr. Dickerson stated that the County did not need a tank to serve customers along 460 at the current state of one line and 51 customers, we would have sufficient water for them and there will be sufficient water for fire flow providing that there is no fire in the Concord area to where they have to cut the valve off and at that time the tank would serve as the backup.

Mr. Roark stated that the projection of water usage for 51 customers would be 10,000 gallons of water. We would have a ten day supply if we were to have a 100,000 gallon tank.

Mr. Tanner stated that the amount of water used for a house fire is approximately 2000 gallons and could possibly use up to 6000 gallons.

Mr. Roark stated that the decision on the tank and tank site will need to be made soon.

Mr. Roark discussed the USDA Grant application and commented that it would not hurt to get Hurt & Proffitt to move forward with this application as multiple sources of funding is the way this project is going to happen. Mr. Roark stated that we have authorized Hurt & Proffitt to complete the application to obtain the Stag Grant funds and it is about a two month delay on applications with the Health Department, so we should find out what we will receive in May, and we can submit the USDA application at anytime.

There was general discussion concerning applying for the USDA grant and Mr. Cotulla explained the process and how it works.

Mr. Roark asked Mr. Cotulla to next explain the Preliminary Engineering Report.

Mr. Cotulla stated that he had looked at several different PER studies and pulled out summaries of the alternatives that had been presented focusing work primarily on the Concord- Appomattox Waterline. Mr. Cotulla continued by giving an in-depth explanation of the Preliminary Engineering Report and cost estimates to the Board.

Mr. Dickerson stated that this waterline is a long term and major commitment that the County is undertaking and it will initially be a struggle, but as we get customers and the economy turns around and there is a demand for water we will be set for the future.

Mr. Roark called for questions from the Board. Hearing no questions, he requested the Board take care of several items before entering into closed session.

Mr. Roark stated that the Board needed to consider moving forward with the authorization for the tank and the waterline construction, with Mr. Dickerson and Mr. Spiggle going out and making contact along with a county official. Mr. Dickerson and Mr. Spiggle would be answering the technical questions that landowners may have.

Mr. Tanner made a motion to authorize Task 567 -Tank Construction to go along with the waterline construction. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Moore made a motion to authorize Hurt & Proffitt to prepare the application to submit to USDA for the water line project. Mr. Craft seconded Mr. Moore's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Roark presented a copy of the water contract with CCUSA and stated that Mr. Overstreet has reviewed this contract and finds everything in order.

Mr. Overstreet stated that he would like to point out a few items. One being the provision that the County would not be able to resell water to the Town without CCUSA's prior approval.

Mr. Conrad stated that he wanted Item 1-B clarified by CCUSA.

There was discussion of the Board on the Term and Renewal portion of the contract which is 20 year term.

There was general discussion of the minimum purchase of water which is 31,000 gallons per day.

Mr. Roark called for questions from the Board.

Mr. Dickerson stated it would be his recommendation to remove on page six, Item D as he did not feel it is something they would need.

Mr. Roark called for other questions that the Board may have, hearing no other questions, Mr. Craft made a motion to enter into closed session per section 2.2-3711(A)7 Code of Virginia, consultation of legal counsel, at 7:12 P.M. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Craft made a motion to return to regular session at 8:12 P.M. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad read the Certification for a Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.

Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad called for Mr. Roark to come and explain the organization of a Utility Department.

Mr. Roark explained that he needed direction from the Board as far as staff is concerned as to whether the Board is heading in the direction of forming a PSA or forming a Utility Department under the supervision of the County Administrator. Mr. Roark stated that this is a decision that needs to be made, so that we can organize and shift some personnel around, as this project is dominating most of his time.

Mr. Carter stated that we still have not heard from the Town in response to our letter and they may want to take part which would make us go to a PSA.

Ms. Ferguson stated that we must have a course of action as we cannot wait on a reply from the Town.

There was in-depth discussion on creating a PSA verses a County Utility Department.

Mr. Tanner made a motion to enter into the creation and formalization of a PSA. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called f or discussion, hearing none, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Carter made a motion to adjourn the meeting at 8:30 P.M. Mr. Craft seconded Mr. Carter's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 8:30 p.m.

Thomas H. Conrad, Chairman

On Monday, April 20, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:

Board of Supervisors
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present:

Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant
Johnnie Roark – Planner
Alice Rockefeller – Landfill Supervisor

Chairman Conrad called the public hearing to order at 6:00 p.m. and explained that the purpose of this public hearing would be to receive public comment on the proposed changes to Chapter 139 of the Solid Waste Ordinance.

Chairman Conrad called on Mr. Overstreet who had several comments to share with the Board. Mr. Overstreet stated that he had been working with Ms. Rockefeller this afternoon and they have made some additional changes to what had originally been given to the Board and he wanted to go over those changes with the Board. Mr. Overstreet stated that the changes did not change the substance of the ordinance but it does make some editorial changes.

Mr. Overstreet stated that he would like the Board to look at the copy of the ordinance that is labeled strike thru copy.

Mr. Overstreet explained the first change is on page 139-2, second paragraph, titled Residents- change this sentence from "Those persons residing in the County outside the incorporated limits of any town or city to say "those persons residing in the County." Mr. Overstreet next explained the change to the last definition of Waste Management and Recycle Facility to say Solid Waste Management & Recycle Facility.

Mr. Overstreet stated the next change is on page 139-3 item F – to completely remove "Violation of this section shall be a Class 3 misdemeanor, because later in the ordinance we say violation of this section will be a Class 1 misdemeanor and it is contradicting. Mr. Overstreet stated these are the only changes that he and Alice made after the strike thru copy.

Mr. Overstreet stated that the Board received the ordinance with italicized in it and that it is what was advertised, and then he made three other changes. He explained the changes that he and Alice made on April 20, 2009 which begins on page 139-2 Item A remove Sanitary landfill. Also, on Item B – Commercial Outlets they added "and contract residential haulers" and on page 139-5 there is some number and lettering changes 139-A – removed "when" and changed to "All" tires brought to the Appomattox County Waste Management Recycle Facility will be billed according to the current tire charges.

Mr. Overstreet presented the next change which is item E on page 139-5 – change that "E" to a "B" and also added in Commercial haulers of solid waste must register with Appomattox County Waste Management and Recycle Facility office and pay an annual license fee of two hundred fifty dollars ($250). On page 139-6 the change was some lettering changes and item "D" it should read as County residents shall be allowed to deposit an unlimited amount of solid waste and recycle materials generated at their own residence at the Appomattox County Waste

Management and Recycle Facility. Mr. Overstreet also stated that on Item "F" should read as The Town of Pamplin City's commercial carrier is exempt from the requirements of this article, provided that this carrier only picks up solid waste within the corporate limits of Pamplin City.

Mr. Overstreet stated that this was all of the changes that the Board had not been given previously for review.

Chairman Conrad called for public comments on the proposed changes to 139 – Solid Waste Ordinance. Hearing no comments, Chairman Conrad closed the public hearing at 6:18 P.M.

Thomas H. Conrad, Chairman

On Monday, April 20, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox Virginia.

PRESENT:
Samuel E. Carter – Appomattox Courthouse District
William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

ALSO PRESENT:
Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. and asked Mr. Tanner to deliver the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Having no additional items for the agenda, Chairman Conrad next called for Public Comments. Hearing no public comment, Chairman Conrad presented Administrative Item #1 – Request for Support for John "Jack " Miller and explained that R.B. Clark, Charlotte County Administrator is requesting that the Board adopt a resolution supporting John "Jack " Miller for the position of Secretary/Treasurer of the Virginia Association of Counties. Chairman Conrad called for comment.

Mr. Craft stated that he did not know Mr. Miller; however we may have someone that we do know that we prefer more.

Chairman Conrad stated that we have time before this comes to fruition and he is sure that in our area we have some well qualified people for this position.

Mr. Tanner stated to take no action at this time and see if we have someone in our area with an interest.

It was the consensus of the Board to take no action at this time.

Chairman Conrad presented Administrative Item #2 – General District Court and explained that the County Administrator had been approached by the Clerk to the General District Court asking for several of her windows to be replaced for security reasons. Chairman Conrad called for comments from the Board.

Ms. Ferguson stated that an inspection was held in March, but she has not received a report from this inspection as of today.

Mr. Craft stated that he felt we should wait on the inspection report before making any decision. Mr. Tanner also stated that he felt we should wait on the inspection report before making a decision.

It was the consensus of the Board to table this item until the inspection report is received and reviewed.

Chairman Conrad presented Administrative Item #3 – Other Courthouse Security Matters and explained that some issues have come up during the Courthouse Inspection that the Board may want to consider such as the entry door into the Circuit Court Clerks Office and the Juvenile and Domestic Relations Court Clerk's office can only be locked from the outside with the key. Also, there is no alarm on the very front doors leading into the Courthouse, and the windows in the Circuit Court Clerk's Records Room are not alarmed and are very low to the ground. Chairman Conrad explained that Mr. Wingfield has received quotes on each of these items and the total cost to cover the above noted items is $9,292.00. Chairman Conrad explained that there is no funding in the budget to take care of these matters. Chairman Conrad called for comment from the Board.

It was the consensus of the Board to table this item until the Courthouse Inspection Report is received.

Ms. Ferguson also stated that while discussing the Courthouse the mold removal will begin on April 21, 2009.

Chairman Conrad next presented the Consent Agenda:

CONSENT AGENDA

Approval of Minutes

Regular Scheduled Meeting – March 9, 2009

Approval of Bills
SUPPLEMENTAL APPROPRIATIONS:
County Administrator
supplement by consent and appropriate the following:

8103-8002 Courthouse Bond	$21,403.00
4302-5301 Boiler Insurance	2,249.00
4302-5305 Motor Vehicle Ins.	518.00
4302-5308 General Liability Ins.	32,374.00

FUND TRANSFER:
Sports Complex (Community Park) Fund
transfer by consent $20,550.00 from the Sports Complex Fund to the General Fund to pay Central Virginia Electric Cooperative.

Mr. Tanner made a motion to approve the Consent Agenda as submitted. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for discussion. Hearing none, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Informational Items and called for discussion or comments. Hearing none, Chairman Conrad explained that a closed session is needed in accordance with Section 2.2-3711(A)(7) Code of Virginia.

Mr. Overstreet explained that the purpose of this closed session is a follow up from the last meeting regarding the water system and a draft letter written by Mr. Roark and himself, which he would now present to the Board and have them read, if the Board members have no objection to the letter being sent, the Board could authorize the Chairman to sign and send the letter out, and a closed session would not be needed.

Mr. Tanner stated that this was a well written letter.

Chairman Conrad stated that he did not have a problem with sending the letter.

It was the consensus of the Board to have the Chairman sign and send out the presented letter. Mr. Overstreet stated that this letter would now become material to be disclosed under the Freedom of Information Act and stated that he would give the press a copy and ask him to please hold until we are able to get this letter to Mr. Harvey, Town Mayor.

Chairman Conrad then called for Supervisor Concerns, hearing no Supervisor Concerns, Chairman Conrad reminded the Board of the budget work session scheduled for April 21, 2009 at 6:00 p.m. at the County Administration Conference Room, and then reminded the Board of other upcoming meetings scheduled for the month of May.

Hearing no further comments, Mr. Craft made a motion to adjourn the meeting at 6:48 P.M. Mr. Carter seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 6:48 P.M.

Thomas H. Conrad, Chairman

On Wednesday, April 21, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a special called meeting in the County Administration Conference room located on 153A Morton Lane, Appomattox, Virginia 24522

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. Samuel E. Carter – Courthouse District
Mr. William H. Craft –Appomattox River District
Mr. Russell H. Moore – Piney Mountain District (arrived at 6:30 p.m.)
Mr. Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant
Mr. Johnnie Roark – Planner
Mr. John Spencer – Assistant County Administrator

Chairman Conrad called the special meeting of the Appomattox County Board of Supervisors to order at 6:00 p.m. and turned the meeting over to County Administrator, Aileen Ferguson.

Ms. Ferguson began the budget work session with the proposed budget for the Utility Department and stated that she had asked Mr. Roark to put together a budget for presentation.

Ms. Ferguson called on Mr. Roark to come and give the details of the Utility budget to the Board.

Mr. Roark came forward and stated that he had come up with the figures for the utility budget from the Preliminary Engineering Report, and the contract with Hurt & Proffitt for professional services and basically used a forth of the year totals since we will not be up and running until late FY2010. Mr. Roark stated that a vehicle and debt service had been included in this budget.

Mr. Carter stated that these figures are related to the new Utility Department. Mr. Roark stated that all figures reflect the Utility Department. Ms. Ferguson stated that the only way this budget would not occur would be if we do not do the water line or the Town should come in and have the utilities already set up. Ms. Ferguson stated that even with the PSA there will be a cost incurred.

Ms. Ferguson stated that she had included in the Board's budget $90,000 for professional services for the waterline and also if the Bond goes through and everything goes well, those funds will come out of the bond. Ms. Ferguson stated that the debt service would be financed in with the other bonds that we are in the process of refinancing now, so you may not see that figure come out of this utility budget.

Mr. Carter questioned if we would see a dramatic drop in these figures when the finances come through.

Mr. Roark stated that the estimated FY2010 budget figure is the figure you will be looking at on an annual basis.

Mr. Roark stated the professional services amount is what is coming from the contract with Hurt & Proffitt.

Mr. Tanner questioned when we would possibly be hearing from the Health Department on the application that was submitted.

Mr. Roark stated that they were told it would take approximately two months after submittal so they are hoping to hear sometime around the first of May.

Ms. Ferguson asked for further questions for Mr. Roark, hearing none, she explained that after all the changes to the budget due to receiving the school budget and other deductions that were proposed at the last meeting we are short $872,332.

Ms. Ferguson stated that she had provided the Board with an Economic Development budget, but it was not included in this budget figure. The budget also does not reflect the water line budget or a donation to the Museum of the Confederacy.

Ms. Ferguson stated that with the provided budget figures, the estimated tax increase equates to a little more than six cents per one hundred and this is without Economic Development budget, water line budget and the donation to the Museum of the Confederacy.

Mr. Conrad asked what the schools proposed budget was before we received their actual budget. Ms. Ferguson stated that they had not provided us with a budget she had guessed on the figure that was previously included.

Ms. Ferguson explained that the school had provided the County with a very thorough budget and stated that this budget is calculated on 2108.95 students.

Chairman Conrad questioned what would happen if the State funds the school for an ADM of 2109 and they actually end up with an ADM of 2130? Ms. Ferguson explained that we would have to provide funds to meet the State's match when that final count has been determined.

Chairman Conrad asked what would happen if the State was to fund them for an ADM of 2130 and the actual count ended up being 2109? Ms. Ferguson explained that the school would have to pay funds back to the State.

Mr. Carter asked what would happen if we held on to the funds until we found out what the actual count would be. Ms. Ferguson stated that she would think that the State only sends you the funds based on their number, but she will check on this. Her understanding is the State is only going to send funds for their count of 2108 and at the end of March, if you have more the State will have to catch that up at that time. Ms. Ferguson stated that this has happened before and that is when they receive a huge influx of extra money and they ask the Board to put it into their CIP account.

Ms. Ferguson also stated that she had spoken with Wilson Staples, as instructed by the Board, about removing one car from his budget and he is willing to do whatever he can or what we ask him to do. He will cooperate although he has a concern that next year he will need to have four cars instead of the three, so we really are not saving anything. Ms. Ferguson stated that the presented budget does reflect taking one car out of the Sherriff's budget.

Mr. Carter stated that now is the buying time with interest rates being down to purchase items of this nature.

Mr. Tanner stated that he appreciates the Sheriff's willingness to work with the Board on this request, however, he feels that we should not remove the car from his budget and keep them on the rotation as they have been in previous years.

Ms. Ferguson stated that she had talked with Anne and they had removed several items from her budget, but it just does not add up to a lot when you are looking at these kinds of figures.

Mr. Carter stated that he knows that a lot of this is hard to digest and there is no question about it and that this is very painful and no one in the world wants to raise taxes, but we have to live and we have debts to pay and the County needs to move forward. Mr. Carter stated that he came here tonight thinking about increasing the tax rate one cent for economic development coordinator, one cent for funds for operation throughout the year and for the unknown, and one cent for the CIP fund for the Community Park and if we did all this we are looking at a 16.2 percent tax increase, and we have already found that we made a mistake last year when we did not increase taxes.

Chairman Conrad questioned how much more can the school's budget be cut? Ms. Ferguson stated that as of right now we can cut the school $357,310 which is over and above what it would

take for them to get all their matches. Ms Ferguson also stated that if the school's budget is based on the 2130 ADM we can cut them to the ADM of 2109 which is a real gamble and if they are correct in their estimation we would have to come up with that money the end of March.

Ms. Ferguson stated that she had thought she could make a debt service payment out of a bond this year and free up another $300,000 almost $400,000, but with refinancing these bonds she is not able to know if that would work out so she cannot depend on this.

Mr. Conrad asked if we restructure our debt service as Davenport talked about, is that going to help. Ms. Ferguson stated that we had been told that a restructure would save about $400,000 this year, maybe a little more, however, we were encouraged and cautioned to put this in a reserve fund in order to build for down the road when we have to meet the school demands.

Ms. Ferguson reminded the Board that we have to advertise proposed increase in the tax rate for 30 days and we have already moved the date to collect taxes to June 27^{t}, Ms. Ferguson stated that we are under the gun, we have got to make a decision as to where we are going to go with this and how we are going to approach this, because we have got to get the advertisement in the paper and even at that we are going to be the first of June holding our public hearing.

Chairman Conrad stated that we need to reduce taxes where we can and look at this from another stand point. Chairman Conrad stated that we have a bad economy now and we also have a lot of people in the County that are out of work and if they are working they may be working with less income and prices of most everything except gas has dropped in price. Chairman Conrad stated that with all these projects going on and we are telling people that times are tough, yet we go and raise taxes, and he hates having to do this.

There was in-depth discussion of what projects should be included in the FY2010 budget and how much of a tax increase it was going to take to provide for these projects.

Ms. Ferguson reminded the Board that the advertised tax rate can be lowered once we have final figures for the budget.

Ms. Ferguson reminded the Board that she has included $90,000 in the Board's budget for the same fees that we have in the utility budget which will free up that amount.

Mr. Carter stated that he would like to see that $90,000 be used for an Economic Development Coordinator, but we still need operating funds for the rest of the year for unknown expenses.

Mr. Conrad stated that he would not vote for the Economic Development Coordinator with taxes going up 9 to 13 cents and that he feels this is going to strain a lot of people. Mr. Conrad stated that we need to see where we are going with this water line and how that is going to manage out before we start adding people to the payroll.

Mr. Carter stated that to help stimulate the project, we could say no compensation for the Board for this Fiscal Year which would equate to $35,000 dollars this year and then we could revisit this again next year.

Chairman Conrad stated that our pay is a pittance for the time that is put into this position, and he is on other boards that requires him to go to three and four days a week with no pay and he feels it would get tiresome really quick with no compensation.

Mr. Craft stated that he has spent approximately twelve hours this week in Lynchburg on a committee.

Mr. Carter stated that he is looking for the less pain.

Chairman Conrad stated that if the Board is going to do this they may as well go to the Constitutional Officers and cut out all travel for anyone all the way down the board. Chairman Conrad stated that we have saddled ourselves here with some of these projects and they will be beneficial to the County in the future in helping us to grow, however he is not sure at this point and time that we keep piling it on. He stated that we need to let things level out and look at this again later. Mr. Conrad stated that we need an Economic Development Director but not if we don't have the money to support it.

Mr. Carter stated that he knows where Mr. Conrad is coming from but he is passionate about this Economic Development Director and it is the vision of the future for the County and he does not see where we have a choice.

Mr. Conrad stated again that if we do not have the money to pay for some of this stuff and the very people you are asking to pay this are already having a hard enough time just feeding their families to pay for this position after they have lost their jobs and they do not have the funds.

Mr. Tanner stated that last year it was a mistake by not increasing the tax rate even a small amount, because now we would not be looking at such a huge increase, but it still would not erase what we are doing tonight. Mr. Tanner stated taking on the water line project is a great accomplishment and it is going to bring great things to the County, but right now with the economy the way it is, It's not necessarily the best time to create a position, but he is in favor of this position especially if we can do this for only a one cent increase. Mr. Tanner stated that we do not have to hire a seasoned veteran in this position. Mr. Tanner stated he thinks if we can bring in a less seasoned but high energy well educated person with the credentials they could be respected if they bring things to the County. Mr. Tanner stated that we can build some performance goals into this position.

Mr. Carter questioned what needs to be done about money for the operating reserve for the unknown expenses in which we might incur.

Chairman Conrad stated that it would be just adding more money to what we've been talking about which is what we didn't want to do. Chairman Conrad stated that every time you add something like we just said lets get this Economic Development Director and now we need a operational budget for this position, so once again we have got this budget down to an 9.1 cents increase and now here we go changing it to a 10 cents increase, so we have gone right back where we were before we cut the school's budget.

It was consensus of the Board after general budget discussion to reduce the school budget request in the amount of $367,310. Ms. Ferguson stated that she would send out a letter tomorrow to Dr. Boone stating this.

Mr. Tanner stated that he would like to see that $2000 dollars restored back into 1101-5504 for the reason, we are elected officials and we are attending meetings and it does get expensive.

Mr. Carter stated that he did not have a problem with restoring this money to the budget because with the Economic Director in here they are going to bring this money back in to us.

Ms. Ferguson ask the Board if they wanted to advertise a nine cent or ten cent tax increase and it was the consensus of the Board to advertise a ten cents tax increase.

Mr. Carter made a motion to advertise a ten cent proposed tax levy increase. Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, nay; Mr. Conrad, nay; Mr. Moore, aye; Mr. Tanner, aye.

Ms. Ferguson stated that she would get the notice out next week and the public hearing would not be held on the night of a Regular Board meeting.

Chairman Conrad called for further comments.

Ms. Ferguson stated that she would get all the changes made and have a clean copy if anyone wishes to stop by and review it prior to the public hearing.

Mr. Carter asked Ms. Ferguson to give a status report on the ongoing animal warden case.

Ms. Ferguson stated that Dr. Burger has about 25 dogs that are in bad shape and he is working with them, we have some dogs being housed in Campbell County that have needed some medical care. We also have some of the dogs housed in Prince Edward and within our pound. Ms. Ferguson stated that we have subpoenaed shot records for these dogs and should have had them here today which she did not, which means that we have to vaccinate them for rabies, so we are probably looking at $10,000 in bills. Ms. Ferguson stated that court is scheduled for tomorrow morning and we have been told that she has hired an attorney, so most likely, nothing will be done tomorrow, which will leave us hanging with these animals a while longer. Ms. Ferguson stated that we will be billing her for these expenses.

Ms. Ferguson stated that she would try to keep the Board updated on the status of this case after court.

Ms. Ferguson stated that they did start today with the mold remediation and hopefully that will be cleared up very soon.

Chairman Conrad called for further discussion, hearing none; Mr. Craft made a motion to adjourn the special meeting at 6:59 P.M. Mr. Moore seconded Mr. Craft's motion. Chairman Craft called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 6:59 P.M.

Thomas H. Conrad, Chairman

On Monday, May 4, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT:	William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District Samuel E. Carter – Appomattox Courthouse District
ALSO PRESENT:	Aileen T. Ferguson - County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. Mr. Carter delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda; Mr. Jimmy Sanderson with Davenport and Company and Mr. Dan Siegel with Sands Anderson Marks and Miller were added to the agenda under appearances.

Hearing no public comment, Chairman Conrad called on Mr. Sanderson and Mr. Siegel to come and speak with the Board.

Mr. Sanderson came forward and explained that they had talked with a number of banks and wanted to give the board some results of their findings.

Mr. Sanderson stated that he would first present the county's requirements over the next six to eighteen months which are debt service in FY2010 of $2.4 million and some new money needs such as utilities which are approximately $3.5 million dollars.

Mr. Sanderson also briefed the board on the key considerations, which is, we are in one of the most difficult budget times that most of their clients have seen. Mr. Sanderson stated that the County has done a very good job of being prudent fiscally. Mr. Sanderson stated that they feel it is important that the County look at conserving the cash flow in future years.

Mr. Sanderson recapped the goals and objectives and stated that they felt that they met all of them which are important. They have been able to identify ways to help with the budget in FY10, FY11 and FY12 which are reportedly going to be difficult budgetary years. Mr. Sanderson stated they have provided recommendations on preserving the undesignated fund balance again and restructuring some of the distant debt over the next few years and using a favorable interest rate environment. Mr. Sanderson explained that they had tried to structure their proposal to include new debt and not increasing the overall debt service for the County. Mr. Sanderson stated that the County's payout ratio is something that has been very strong and he wants to maintain this.
Mr. Sanderson stated that they wanted to ultimately avoid unnecessary increases in the tax rate to citizens.

Mr. Sanderson stated that in their proposal they had added a 2001 school lease purchase agreement, which carried an interest rate of over six percent which will be a significant interest savings to the County.

Mr. Sanderson explained that in their proposal they are looking at the new debt with two years interest only and then amortizing over twenty years and still maintaining a strong payout ratio and not increase our debt service above the current level of $2.5 million and provide for capital projects without increasing taxes.

Mr. Sanderson stated that they have negotiated with numerous banks in the region and SunTrust was the most favorable proposal for the County. Mr. Sanderson stated that they are recommending the SunTrust option whose interest rate came in well below their planning assumption and the flexibility pre-payment option will be very beneficial to the County in the future when looking to add new debt especially when considering the school projects.

Mr. Sanderson stated that they are here tonight to get the Board's approval to move forward with the documentation with SunTrust and then again on May 18th to formally approve all the documents and ask the EDA to meet that week also and then close at the end of the month.

Mr. Sanderson called for questions from the Board, after some discussion from the Board, Mr. Siegel came forward and explained that he has a resolution that would need to be approved to

allow them to move forward with the plan of financing with the Economic Development Authority of Appomattox County for issuance of lease revenue and refunding bonds.

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF APPOMATTOX, VIRGINIA APPROVING A PLAN OF FINANCNING WITH THE ECONOMIC DEVELOPMENT AUTHORITY OF APPOMATTOX COUNTY, VIRGINIA, FOR THE ISSUANCE OF LEASE REVENUE AND REFUNDING BONDS

WHEREAS, the Board of Supervisors **(the "Board of Supervisors")** of the County of Appomattox, Virginia **(the County")** has directed Davenport & Company LLC **("Davenport")** and Sands, Anderson, Marks & Miller, a Professional Corporation, the County's Bond Counsel (together with Davenport, the "**Consultants**") to evaluate financing options and recommend a plan of financing **(the "Plan of Financing")** to finance (i) the refunding of certain County lease obligations, including: the County's outstanding School Capital Lease Purchase Obligation, Series 2001, its Public Facility Lease Revenue Note, Series 2003A, its Public Facility Lease Revenue Refunding Note, Series 2003B, its Public Facilities Lease Revenue Bond, Series 2005 and its Public Facilities Lease Revenue Bond, Series 2006 **(together, the "Outstanding Bonds")** and (ii) to fund certain utility improvements for the County **(the "Project")**; and

WHEREAS, the Consultants have considered the Plan of Financing and have recommended that the Board of Supervisors on behalf of the County select the financing set forth in the indication of interest response received from Sun Trust Bank **(the "Selected Option")** wherein Davenport will purchase the Bonds (as defined below) to be repaid by a financing lease between the County and the Authority to be structured to conform to the Selected Option; and

WHEREAS, the Board of Supervisors has reviewed each of the indications of interest and the recommendation from the Consultants and has determined that the Selected Option is the most beneficial financing method and desires to accept the Plan of Financing with such Selected Option which refunds the Outstanding Bonds with a refunding portion of the Bonds at the most flexible fixed interest rate in accordance with the Selected Option, maturing in approximately 14 years, and the new money portion of the Bonds at the most flexible fixed interest rate for the time period specified in the Selected Option, maturing in approximately 22 years; and

WHEREAS, the Board of Supervisors will request the Economic Development Authority of Appomattox County, Virginia **(the "Authority")** to issue, offer and sell its (i) lease revenue refunding bond in the principal amount of approximately $11,400,000 **(the "2009A Bond")** pursuant to the Selected Option to refund the Outstanding Bonds and (ii) lease revenue bond in the principal amount of approximately $3,500,000 **(the "2009B Bond", together with the 2009A Bond, the "Bonds")** all pursuant to the Plan of Financing, with the leasing by the Authority of the County's Carver Price Educational Complex, Courthouse Building and Administration Building **(the "Leased Property")** from the County and, in turn, lease the Leased Property to the County, to accomplish certain purposes of the Virginia Industrial

Development and Revenue Bond Act **(the "Act")**, with the County providing its moral obligation in support of the payment of the Bonds; and

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Appomattox, Virginia:

1. The Board of Supervisors hereby accepts the Plan of Financing with the Selected Option as presented by the Consultants and instructs the Consultants to take all such action as necessary or appropriate to conclude the financing as set forth in the Plan of Financing with the Selected Option by the issuance of the Bonds by the Authority.

2. The Board hereby declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the County's intent to reimburse the County with the proceeds of the 2009B Bond for Expenditures with respect to the Project made no more than 60 days prior to the date of the adoption of the Resolution. The County reasonably expects that it will reimburse the Expenditures with the proceeds of the 2009B Bond. The maximum principal amount of the tax exempt obligations expected to be issued for the Project, at this time, is $3,500,000.

3. The County hereby designates the Bond as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code, and allocates to the Authority in relation to the issuance of the Bonds for the purpose of Section 265(b)(3) of the Code. The County has not issued, and does not reasonably anticipate (nor do any of its subordinate entities reasonably anticipate) issuing more than $30,000,000 in qualified tax exempt obligations during calendar year 2009 and the County (and any of its subordinate entities) will not designate more than $30,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code during such calendar year.

4. The Board of Supervisors hereby approves, ratifies and confirms the actions of its officers, employees and representatives in furtherance of the issuance of Bonds, and authorizes and directs the Consultants and its officers, employees and representatives to take all such action necessary or appropriate to refund the Outstanding Bonds and to finance the Project and to issue the Bonds by the Authority pursuant to the Plan of Finance and the Selected Option.

5. This Resolution shall take effect immediately upon its passage.

Mr. Tanner made a motion to approve the resolution of the Board of Supervisors of the County of Appomattox, Virginia approving a plan of financing with the Economic Development Authority of Appomattox County, for the issuance of lease revenue and refunding bonds. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing no comments, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad thanked Mr. Sanderson and Mr. Siegel and then presented Administrative Item #1 –Adoption of the Amended Solid Waste Ordinance and explained that they have the corrected version of this with amendments that is ready for adoption. Chairman Conrad stated that a public hearing had been held on April 20th, 2009 on the proposed amendments and had received not public comments. Chairman Conrad stated that Mr. Overstreet has stated that he had several additional changes that he has noted that will need changing.

Mr. Overstreet stated that he has several minor changes that were noted at the Public Hearing, but did not get changed in the final copy. Mr. Overstreet stated the changes that were missed are being changed. After the noted changes, Mr. Craft made a motion to approve the corrected version of the Solid Waste Ordinance. Mr. Moore seconded Mr. Craft's motion. Hearing no further discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented Administrative Item #3 – Refund Request and explained that Mr. Don Scott is requesting a refund in the amount of $200.00 where he had paid for a variance to the Zoning Ordinance due to a rear yard setback and after review it was determined that a variance was not necessary. Chairman Conrad stated that staff is recommending refunding Mr. Scott $200.00 for the application fee he paid. Chairman Conrad called for comment from the Board.

Hearing no comments from the Board Mr. Moore made a motion to refund Mr. Don Scott $200.00 for application fee on a variance application. Mr. Tanner seconded Mr. Moore's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye

Mr. Tanner stated that we missed Administrative Item#2, Chairman Conrad went back and presented Administrative Item #2 – Utility Update and explained that Mr. Roark will be updating the Board on the utility progress and also review the enclosed MOU with the Town concerning sanitary sewer service.

Chairman Conrad called on Mr. Roark to appear before the Board to give his update on the Utility project.

Mr. Roark stated that the survey is 85% complete on the Utility Project and the Preliminary Design is approximately 50% complete. Mr. Roark stated that they are anticipating the end of May finishing the design which would rely solely on MISS UTILITY to get this accomplished.

Mr. Roark explained that multiple property owners had been met with concerning the booster pump station and tank and we have four alternatives that we can seriously consider and two additional alternatives that are back up plans. Mr. Roark stated that Hurt & Proffitt are currently evaluating the four areas and will be reporting to the Board with a recommendation on which particular lot we should pursue. Mr. Roark stated that there are two location alternatives that are being pursued for the tank site.

Mr. Roark explained that the environmental review is complete with no complications and all final documents will be complete and in order by the end of the week. Mr. Roark stated that a letter had been sent to CCUSA with our comments and he understands that they have no complications with what was sent and they would be following up with answers to some questions from the Board.

Mr. Roark next stated that USDA application will be submitted by May 15th, 2009, and the STAG Grant is anticipated to be submitted by May 15th also. Mr. Roark stated that the application for VDH has been received and they are anticipating an announcement later this week by Governor Kaine. Mr. Roark explained that 255 applications had been received and they usually receive 40-50 applications.

Mr. Roark stated that Hurt and Proffitt has completed the base map of the Waterworks Master Plan.

Mr. Roark explained the amendments to the MOU with the Town and this has been worked on with Mr. Overstreet and the EDA and this has been sent to the Town and it will be placed on the Town's agenda.

Mr. Carter made a motion to accept the Town/County Water and Sewer MOU dated April 12, 1999 Amendment II. Mr. Tanner seconded Mr. Carter's motion, hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Town/County Water and Sewer M.O.U. Dated April 12, 1999
Amendment II

The purpose of this amendment is to establish a general understanding concerning the undeveloped commercial area along Route 460 (Richmond Highway) from the west Town Limits to the Route 26 (Oakville Road) overpass as it relates to sanitary sewer service.

A. The Industrial Development Authority of the County of Appomattox (IDA) as previously identified in this agreement has changed its name to the Economic Development Authority of the County of Appomattox (EDA). For the purpose of this amendment, this entity will be identified as the "EDA".
B. This amendment pertains to the portion of the sanitary sewer line that lies within the town boundary and as generally shown in the attached sketch.
C. The Town, County, and EDA by virtue of this amendment hereby agree that the portion of the force main owned by the County/EDA and lying within the Town boundary may be utilized by prospective customers for sanitary sewer service. Such service will be based on the Town's ability to provide the service and all arrangements for connections and all fees associated with said service shall be coordinated with and/or paid to the Town.
D. Additionally, the Town, County, and EDA agree that any future upgrades that may be necessary due to development in this undeveloped commercial area will be at the expense of the Town.
E. Furthermore, the Town, County and EDA agree that any capacity utilized within the Town boundary along this force main shall not reduce the capacity of this force main or reduce the

previous sanitary sewer allotment at the wastewater treatment facility for sanitary waste originating from the Industrial Park/Recreation Area (146,000 gpd).

F. The parties agree that the commercial development in said area is not a capital improvement related to or required by the industrial park as set forth in Section II (A) 2.

G. Any alteration or modification to the existing sanitary sewer system owned by the County/EDA shall be at the expense of the Town and/or the developer.

H. Except as expressly set forth in this amendment, all other provisions of the Memorandum of Understanding shall remain in full force and effect.

Thomas H. Conrad, Chairman — Date
Appomattox County Board of Supervisors

Paul D. Harvey, Mayor — Date
Town of Appomattox

William S. Slagle, Chairman — Date
Economic Development Authority of Appomattox County

Chairman Conrad next presented Administrative Item#4 – Landfill Cell Closure Change Order No.1 and explained that a change order is necessary for the landfill cell closure because of additional soil that is needed to bring the intermediate cover up to the regulatory 12" depth. In the bid, with anticipation of spots in the cover that would be less than 12" and we had contractors bid on a 6" average cover over the entire cell. Drapen Aden Associates hand augured the cover before any soil was placed and found that the entire cell was lacking even the 6" we had thought was there. Therefore, Shearin had to place the full 12", of soil over the entire area and the change order is for that cover. Chairman Conrad stated that staff is recommending that the Board approve Change Order No.1 in the amount of $20,471.85 which will bring the contract to $576,866.98. Chairman Conrad called for discussion from the Board.

Ms. Ferguson stated that she had talked with Alice Rockefeller about this and it is necessary because of erosion and run off. Over time it has washed and we need to get this cover in place per the regulations. Ms. Ferguson encouraged all Board members to go to the landfill and see what is being done and that Ms. Rockefeller would be glad to take them to see this project.

Ms. Ferguson stated that this would have to be done and we would have to come up with the money from somewhere as we have no choice in the matter.

Mr. Craft made a motion to approve Change Order No. 1 in the amount of $20,471.85.
Mr. Tanner seconded Mr. Craft's motion, hearing no discussion Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Ms. Ferguson stated that this will not have any impact on the budget as this will come from the bond.

Chairman Conrad next presented Administrative Item#5- Joint Meeting with EDA and Planning Commission and stated as the Board will remember at a previous meeting it had been asked that a meeting with the EDA and Planning Commission be put on the agenda in May for the Board's consideration. Chairman Conrad called for discussion.

Chairman Conrad stated that Mr. Slagle had contacted him and he had been able to contact Congressman Perriello and he is willing to come to Appomattox and meet with the Board and EDA on Wednesday, May 27th, 2009 at 4:00 p.m. Chairman Conrad stated that he feels it would be in the Boards best interest to have this meeting before we set a date for this joint meeting that had been requested. Chairman Conrad stated that Mr. Slagle is asking who the Board feels would need to be a part of this meeting with Congressman Perriello. Chairman Conrad stated that we should invite the Town of Appomattox and the Town of Pamplin. Chairman Conrad explained that Congressman Perriello would be meeting to discuss program funding that can be utilized by our County and what help he would be able to offer.

Chairman Conrad stated that this meeting would be held as a special called meeting and it was the consensus of the Board for Chairman Conrad to contact Mr. Slagle. A location will be determined and the Board will be notified of this location at their next meeting.

Chairman Conrad presented the Consent Agenda and called for discussion, hearing no discussion Mr. Tanner made a motion to approve the Consent Agenda as submitted. Mr. Craft seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

CONSENT AGENDA
Approval of Bills
SUPPLEMENTAL APPROPRIATIONS
Electoral Board
Supplement by consent and appropriate $3000.00 to 1301-1003 Part-time Salaries and Wages in the Electoral Boards budget to pay expenses related to the June 9, 2009 Primary.
Sheriff's Department
Supplement by consent and appropriated the following:

3102-1001 Salary	$ 670.29
3102-1002 Overtime	$1312.35
3102-2001 FICA	$ 159.99
3102-2002 VRS	$ 105.30
3102-3013 OSHA Mandates	$ 60.00

Animal Control
Supplement by consent and appropriate $20.00 to 3501-5402 in the Animal Control budget for a donation received.
Comprehensive Services
Supplement by consent and appropriate $1000.00 to 5310-3002 in the Comprehensive Services budget for a donation received from the Appomattox Lions Club.

FUND TRANSFER
Sports Complex Fund
Transfer by consent $7,404.47 from the Sports Complex Fund to the General Fund to pay enclosed bill.

Chairman Conrad presented the Informational Items and called for comments, hearing no comments Chairman Conrad called for Supervisors Concerns.

Mr. Carter questioned what was happening with the Animal Control dog case.

Ms. Ferguson stated that Animal Control would be back in Court on Wednesday at 2:00 p.m.

Mr. Tanner stated that he wanted to commend Ms. Robin Craig in the Stonewall Area (Route 608) for trash pick-up on the 51/2 miles of highway.

Chairman Conrad stated that the American Legion had issued an invitation to the Board to attend their program in Courthouse Square for Memorial Day.

Chairman Conrad read a letter from Mr. Paul Harvey as a response from the Board's letter of April 21, 2009 and stated that it was the intention of the Town to have a response to the Board no later than June 1, 2009.

Chairman Conrad stated that the NAACP had sent the Board an invitation to the annual Freedom Fund Banquet which will be held on Saturday, May 16th, 2009 at 5:00 p.m. This will be held at the Carver Price Cultural Center. Chairman Conrad stated that the ticket donation is $20.00 each. The NAACP is requesting a resolution of proclamation from the Board to be read during the banquet and would appreciate someone from the Board presenting the proclamation.

Ms. Ferguson stated that she would create a proclamation for approval at the public hearing on May 11th, 2009 and then someone would need to present this at their meeting.

Mr. Carter stated that he would present the proclamation at the NAACP annual meeting.

Chairman Conrad presented the upcoming meetings.

Having no further comments, Mr. Craft made a motion to adjourn the meeting at 7:35 p.m. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:35 p.m.

Thomas H. Conrad, Chairman

On Monday, May 11, 2009 at 6:25 p.m. the Appomattox County Board of Supervisors held a special called meeting in the Appomattox Community Center located on 220 Community Lane, Appomattox, Virginia 24522

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. Samuel E. Carter – Courthouse District
Mr. William H. Craft –Appomattox River District
Mr. Russell H. Moore – Piney Mountain District
Mr. Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John Spencer – Assistant County Administrator
Johnnie Roark - Planner

Chairman Conrad called the special meeting of the Appomattox County Board of Supervisors to order at 6:25 p.m. and stated that the Board needed to approve a proclamation for the NAACP, declaring Saturday, May 16th as our local "Celebrating a Century" day, which will be presented at their annual meeting on Saturday, May 16, 2009.

Chairman Conrad called for comments, hearing none; Mr. Tanner made a motion to adopt the proclamation as submitted. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

WHEREAS, since 1909 the National Association for the Advancement of Colored People (NAACP) has encouraged people of all races, nationalities, and faiths to accept and promote the premise that all men and women are created equal; and

WHEREAS, since its inception, the NAACP has fought discrimination in the military, at the voting polls, and in public accommodations; and

WHEREAS, today members of the Appomattox County NAACP are continuing the effort to end discrimination and to ensure equal opportunity for all citizens of Appomattox County.

NOW, THEREFORE, in recognition of 100 years of service by the NAACP, the Appomattox County Board of Supervisors does hereby proclaim Saturday, May 16, 2009, as our local "Celebrating a Century" day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the seal of the County of Appomattox this 11th day of May, 2009.

Mr. Craft made a motion to close the special called meeting at 6:32 p.m. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The Special Called meeting adjourned at 6:32 p.m.

Thomas H. Conrad, Chairman

On Monday, May 11, 2009 at 6:32 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:

Board of Supervisors
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present:

Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Johnnie Roark – Planner

Chairman Conrad called the public hearing to order at 6:32 p.m. and explained that the purpose of this public hearing would be to receive public comment on the proposed FY2010 Budget and the Proposed Tax Rate.

Chairman Conrad called on Mr. George Almond to appear before the Board.

Mr. Almond came forward and stated his address as 304 Dabney Lane, Pamplin, Virginia. Mr. Almond stated that he was speaking with the Board to ask them to think about the budget and the job losses the County has sustained. Mr. Almond stated that with the Economic downturn for the Board to please consider that people will not be getting raises and this budget and tax increase does not coincide with what is going on in our County. Mr. Almond stated that maybe some of the proposed projects could wait. Mr. Almond asked the Board to please look at needs verses wants and take another look at the budget. Mr. Almond thanked the Board.

Chairman Conrad called on Mr. J. Wesley Williams to come and appear before the Board. Mr. Williams came forward and stated his address as 4128 Spring Brook Road, Appomattox, Virginia and stated that he currently is the Chairman of the Appomattox County School Board. Mr. Williams stated that he had two requests and the first request concerns the School Board's FY09-10 budget request for county funding and the second a comment about the budgeting process. Mr. Williams directed the Board's attention to a letter from the School Board dated May 8, 2009 and stated the County's proposed budget fails to fund $367,310 of the School Board's

request for funds. Mr. Williams stated that the School Board understands the constraints of the economy and have already in their budget process addressed economic shortfalls and the proposed budget already represents a 1.1 million reduction over last year's budget. Mr. Williams stated that with the cut in the budget of $367,310 this would result in dismissal of employees. He then asked the Board to consider reinstating the $367,310 to the School Board budget.

Mr. Williams stated he had one additional request concerning the budgeting process in which he finds the same every year where the School Board provides their budget to the Board and the Board only funds a portion of their request and then he finds himself in the public hearing defending the School Board's original request. Mr. Williams stated that either the Board of Supervisors does not make public education a priority or for some reason the Board is skeptical about the School Boards budgeting process or specific expenditures. Mr. Williams stated that he is sure the Board does see public education as a priority however he does wonder perhaps if the Board has some lingering concern about the School Board's expenditures, for some reason when the School Board states they need a certain amount at a minimum to run the schools, the Board's actions states that you do not accept that statement. Mr. Williams requested that the Board have some guidelines or some specifics or something to help establish a greater trust, so when the School Board's budget is brought to you after long hours of deliberation and we bring to you the budget that we need to run our schools effectively we can be assured of the Board's support. Mr. Williams thanked the Board for their attention and consideration.

Chairman Conrad next called on Mr. Dennis Torrence to come and appear before the Board.

Mr. Torrence came forward and stated his address as 4878 River Ridge Road, Appomattox. Virginia. Mr. Torrence stated that he had looked at the proposed tax rate and figured his tax and feels that he is an average citizen. Mr. Torrence stated that he did look back, and to refresh everyone's memory, in 2007 our tax rate was .77 cents and in 2008 when we did the reassessment the home values went up approximately 30 percent, farm and timber land doubled in value and because of the increases the Board was able to lower the tax rate .44 cents. Mr. Torrence stated that at that these homeowners saw a lower rate than we did the year before. Mr. Torrence stated that he feels that we can raise the tax rate, but not the ten cents, and still not pay a tremendous amount more on their homes. Mr. Torrence shared his home taxes as an example. Mr. Torrence asked the Board to consider keeping the tax rate as low as you possibly can.

Chairman Conrad called on Mr. Joseph Day to come and address the Board.

Mr. Day came forward and stated his address as 130 Stephens Street, Appomattox, Virginia. Mr. Day stated that he wanted to ask a question which is, truth or fairness, and stated that in this community of Appomattox he would like to know why there is no transparency or accountability with the County's finances and records and he as a citizen, feels there should be records to show where every dollar is spent. Mr. Day stated that as a tax payer he is bailing out this government, and if they are taking his money his questions should be answered. Mr. Day asked the Board if they could answer the following questions. 1) Why are there no minority deputies in Appomattox County? 2) Why do so few minorities work for the County and why are there no minorities on the Volunteer Fire Department and Volunteer Rescue Squad and so few in the public school system. Mr. Day also asked why minorities are mistreated in the public school system and why

did the Superintendent of Schools, Dr. Boone say that he did not matter to him because he does not have a child in the school system; Mr. Day stated he does matter because he is a tax paying citizen. Mr. Day stated that change has come to America and Appomattox County, but this county is heading in the wrong direction and does not use its greatest asset, their cultural diversity. Mr. Day stated that he is against the Board giving out any more tax payer's money or the raising of taxes until change is seen within the County. Mr. Day thanked the Board for their time.

Chairman Conrad called for any other citizen who would like to speak.

Mr. Richard Wilson came forward and stated his address as 514 Gum Branch Road, Appomattox, Virginia. Mr. Wilson stated that people cannot afford a tax increase with everything going up. Mr. Wilson asked the Board to not increase the taxes. Mr. Wilson stated that maybe once Wal-Mart comes here and other industries follow, it will take the burden off of the citizens. Mr. Wilson asked what we are doing about nothing being in the Industrial Park and when are we going to have something out there. Mr. Wilson asked what you are going to do when you tax people so much that there is nothing left to tax. Mr. Wilson stated that the young people are leaving Appomattox. Mr. Wilson asked what we are going to do when the County is broke. Mr. Wilson asked the Board to please consider not raising taxes and then thanked the Board for allowing his comments.

Chairman Conrad called for other comments.

Mrs. Michelle Ashley came forward and stated her address as 643 Country Estates Road, Appomattox, Virginia. Ms. Ashley stated that she is surprised that so few people are in attendance at this meeting. Ms. Ashley stated that her husband is an educator at Prince Edward County and she is not able to work due to having to pay the high cost of day care. Ms. Ashley asked the Board to please try to keep taxes as low as possible.

Chairman Conrad thanked Ms. Ashley for her comments.

Chairman Conrad called for other comments, hearing none, he stated that the Board would be meeting next Monday to adopt the budget and until then that the Board will continue to look at ways to reduce the budget if possible.

Chairman Conrad again called for comments before closing the public hearing.

Mr. Claude A. Moore came forward and stated his address as 392 Liberty Chapel Road, Appomattox Virginia and asked the Chairman to explain that no rate has been set as of yet.

Chairman Conrad stated that the budget is a proposed budget and it can be reduced, up until it is adopted, but it cannot be increased.

Chairman Conrad called for other comments, hearing none; he declared the public hearing closed at 6:22 p.m.

Thomas H. Conrad, Chairman

On Monday, May 18, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:	**Board of Supervisors** William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Johnnie Roark – Planner Vicky Phelps – Administrative Assistant
Also Present:	Mr. Don Austin – VDOT Mr. Clayton Thomas – VDOT

Chairman Conrad called the public hearing to order at 6:00 p.m. and explained that the purpose of the public hearing would be to receive public comment on the proposed Secondary Six Year Plan for Fiscal Years 2009-10 through 2014-15 in Appomattox County and on the Secondary System Construction Budget for Fiscal Year 2009-10.

Chairman Conrad welcomed Mr. Don Austin, VDOT Resident Engineer, to the meeting and called for him to come and report to the Board.

Mr. Austin came forward and gave copies of the six year plan to those in the audience.

Mr. Austin stated that they are later this year having this hearing due to the budget shortfall of funding and funding projections from last year to this year.

Mr. Austin stated that the handout given to the Board and the audience, is the proposed plan and the first year will become the effective budget in July. Mr. Austin stated that the total funds for FY2010 were $278,119 and then pointed out the proposed budget figures for FY2011-FY2015

stating that the total funds for the next six years are $1,734,271 which is not going to allow them to do much, especially when we were looking at last year's budget of $600,000 to $800,000 a year and at one time it was being projected up to $900,000 but then the economy went down and collections have gone down so therefore the funds have been cut.

Mr. Austin stated that they are now required to have most of the funds they receive be obligated to federal projects since VDOT is reimbursed from the Federal Government at 80% and we have to match that money to get this so any project that is eligible for federal funding have to be developed as federal funding. Mr. Austin stated that the shortfall in the plan is mostly state funds. Mr. Austin stated that there are very few funds for county wide items in the plan like unpaved roads and no state funds are being projected for these items in the next six years and they are not eligible for federal funds.

Mr. Austin stated that there is no money proposed in the next six years for new state roads, for new right of ways or new guard rails.

Mr. Austin explained that Police Tower Road has been a priority for the past several years so maybe the summer of 2012 this project will be funded unless the funds are cut. Mr. Austin stated that the funding was not going to allow for Route 604, the widening and reconstruction, so they have in the plan to go and strengthen the road but that will not be determined for several years as to what they are going to actually do. Mr. Austin stated that this had been placed on a stimulus project they applied for; however, they did not receive any stimulus funds.

Mr. Austin next discussed Route 636 bridge project which some funding has already been placed on the plan which is beyond the six year plan.

Mr. Austin explained that Tanglewood Drive is in the plan and it is broken up into projects and the drainage structure will be done next year unless funds are cut and the paving will be done later possibly within five years.

Mr. Austin stated that there are very little funds to distribute with lots of projects.

Mr. Austin called for any questions from the Board.

Mr. Austin explained federal funds and how they must be used.

Mr. Austin called for any request for new roads to be added into the highway system, hearing none; Chairman Conrad closed the public hearing at 6:12 p.m.

Thomas H. Conrad, Chairman

On Monday, May 18, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox Virginia.

PRESENT: Samuel E. Carter – Appomattox Courthouse District
William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. and delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Added to the agenda was Appearances by Mr. Don Austin, VDOT, Mr. Jimmy Sanderson with Davenport and Company and Dan Siegel with Sands Anderson Marks and Miller; added under Administrative Items was Item #5A – Resolution on STAG Grant; Item #5B – Application for Fire Work Permit; Item #5C- Broad Band Authority, and Item#5D- Trade Assistance Adjustment Act; added under the Consent Agenda was Item #9A – Supplemental Appropriation and added under Informational Items was Item #16A – Animal Control Court Case.

Hearing no public comment, Chairman Conrad called on Mr. Don Austin to come and brief the Board on the restructure of VDOT being proposed which started in October with the economical situation and short fall of funds. Mr. Austin stated that the construction program has really gone down and so the focus or the field force of VDOT will be more the maintenance side and what they are looking at are the residency offices like the one here in Appomattox and there are 44 of those offices across the state. It is being proposed to close 15 and have only 29 residency offices. Mr. Austin stated that this is a proposal and nothing is final as of yet. Mr. Austin stated that the main focus is to downsize the residency offices. Mr. Austin stated that in snow removal you should not see a big change in that area. Mr. Austin stated that one of the main priorities is emergency response along with bridges and pavement.

Mr. Austin stated that you may see some difference in the grass mowing and on secondary roads they may not be mowing as wide of an area. Mr. Austin stated that the Appomattox Residency Office is being proposed to stay open. Mr. Austin stated that the Appomattox office may be taking over and becoming a four county office instead of a two county office. Mr. Austin stated that in the proposal it is proposed to close the Appomattox shop.

Mr. Austin also stated that there will be some impact on employees with job loss or moving to another county. Mr. Austin stated currently VDOT has 8300 employees and by the budget law

we are suppose to be down to 7500 by July 1, 2010. Mr. Austin stated that once everything is finalized he would report back to the Board.

Mr. Austin called for questions from the Board.

Mr. Overstreet asked if VDOT could possibly cut grass for hay and bail. Mr. Austin stated that no, this could not be done due to the large liability in doing this. Mr. Austin stated that we do not have the people or the equipment to do this at this time.

Chairman Conrad presented Administrative Item #1 Adoption of the Secondary System Construction Program. Mr. Carter made a motion to adopt the resolution on the Proposed Secondary System Construction Program Priority List for Six Year Plan FY2010-15. Mr. Tanner seconded Mr. Carter's motion. Hearing no comments, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

At a regular meeting of the Board of Supervisors of the County of Appomattox, on Monday, May 18, 2009, held at the Appomattox Community Center on 220 Park Lane, Appomattox, Virginia 24522 at 6:30 p.m.

Present were: Mr. Conrad-Chairman, Mr. Tanner-Vice-Chairman, Mr. Carter, Mr. Craft, and Mr. Moore.

On motion by Mr. Carter, seconded by Mr. Tanner and carried with the following vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2010 through 2015) as well as the Construction Priority List (2010) on May 18, 2009, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Donald L. Austin, Residency Administrator , Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2010 through 2015) and the Construction Priority List (2010) for Appomattox County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Appomattox County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2010 through 2015) and Construction Priority List (2010) are hereby approved as presented at the public hearing.

Chairman Conrad thanked Mr. Austin and then called Mr. Jimmy Sanderson and Mr. Dan Siegel to come forward to meet with the Board to answer any questions that the Board may have related to the structure of the bond, also Mr. Siegel will be providing a resolution for the Boards approval.

Mr. Siegel thanked the Board stated that he has put together a resolution for the Boards approval. Mr. Siegel stated that this has been set up just as things have been set up in the past.

Mr. Siegel called for any questions that the Board may have.

Mr. Overstreet stated that he had looked over the Resolution and the Bond Documents and they all appear to be in order.

Mr. Carter made a motion to approve the Resolution as prepared by Sands Anderson Marks and Miller. Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for discussion.

Mr. Craft stated he has a problem extending loan payoffs.

Mr. Conrad stated not we are not hurting ourselves, with being so far ahead we are giving ourselves more flexibility. Mr. Sanderson explained the process of restructuring and how it is changing the amortization schedule.

Hearing no further comments, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF APPOMATTOX, VIRGINIA

WHEREAS, the Board of Supervisors **(the "Board of Supervisors")** of the County of Appomattox, Virginia **(the "County")** had previously directed Davenport & Company LLC as financial consultants and underwriter **("Davenport")** and Sands, Anderson, Marks & Miller, a Professional Corporation, as the County's Bond Counsel **(together, the Consultants")**, to evaluate financing options and to recommend a plan of financing **(the "Plan of Financing")** for the costs of (i) refunding of certain County lease obligations, including: the County's outstanding School Capital Lease Purchase Obligation, Series 2001, its Public Facility Lease Revenue Note, Series 2003A, its Public Facility Lease Revenue Refunding Note, Series 2003B, its Public Facilities Lease Revenue Bond, Series 2005 and its Public Facilities Lease Revenue Bond, Series 2006 **(together, the "Outstanding Bonds")** and (ii) to fund certain utility improvements for the County **(the "Project")**;

WHEREAS, the Board of Supervisors adopted a resolution on May 4, 2009 **(the "Initial Resolution")** approving the Plan of Financing utilizing the Selected Option (as defined in the Initial Resolution) with SunTrust Bank presented by the Consultants to the Board of Supervisors wherein the Davenport will purchase the Bonds (as defined below) to be repaid by a financing lease between the County and the Authority and in turn, the Board of Supervisors directed the Consultants to prepare the appropriate documentation to complete and fund the Plan of Financing for the costs of refunding the Outstanding Bonds and the costs of the Project;

WHEREAS, the Board of Supervisors has requested the Authority to issue, offer and sell its (i) lease revenue refunding bond in the principal amount of approximately $11,400,000 **(the "2009A Bond")** pursuant to the Plan of Financing and the Selected Option to refund the Outstanding Bonds and (ii) its lease revenue bond in the principal amount of approximately $3,500,000 **(the "2009B Bond", together with the 2009A Bond, the "Bonds")** to finance a portion of the costs of the Project, to lease the Leased Property (as defined below) to the County, with principal payments paid annually and interest at the rate of not to exceed 4.83% per annum, payable semiannually over an approximately 14 year term of the 2009A Bond and with principal payments paid annually and an initial interest at the rate of not to exceed 4.79% per annum, payable semiannually over an approximately 20 year term with a 10 year put option, as described therein, for the 2009B Bond, to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act **(the "Act")**, with the County providing its moral obligation in support of the payment of the Bonds; and

WHEREAS, the Authority, based on the request of the Board of Supervisors, would (a) use the proceeds of the 2009A Bond to pay the costs incurred and to be incurred in connection with the refunding of the Outstanding Bonds including costs of issuing the 2009A Bond (b) use the proceeds of the 2009B Bond to pay the costs incurred and to be incurred in connection with the Project including costs of issuing the 2009B Bond, (c) lease the Leased Property from the County for an approximately 30 year term under a ground lease and in turn, lease the Leased Property to the County for an approximately 20 year term under a lease agreement with the Authority and, (d) secure the Bonds by an assignment of its rights under such lease agreements (except the right to receive indemnification, to receive notices and to give consents and to receive its administrative expenses) to Davenport, under an assignment agreement between the Authority and Davenport, which is to be acknowledged and consented to by the County, all in accordance with a bond purchase agreement among Davenport, the County and the Authority;

WHEREAS, there have been presented to these meeting drafts of the following documents **(collectively, the "Documents")** in connection with the transactions described above, copies of which shall be filed with the records of the Board of Supervisors:

a. a Ground Lease, dated as of May 1, 2009, between the County and the Authority conveying to the Authority a leasehold interest in the property described therein;

b. a Lease Agreement, dated as of May 1, 2009, between the Authority and the County **(the "Lease Agreement")** conveying to the County a leasehold interest in the County's Carver Price Educational Complex, Courthouse Building and Administration Building **(the "Leased Property")**;

c. a Bond Purchase Agreement, dated as of May 18, 2009 among the Authority, the County and Davenport, pursuant to which the Bonds are to be issued **(the "Bond Purchase Agreement")**;

d. an Assignment Agreement, dated as of May 1, 2009 between the Authority and Davenport, assigning to Davenport certain of the Authority's rights under the Lease

Agreement and the Ground Lease, which is to be acknowledged and consented to by the County;

e. a Limited Offering Memorandum for the offering and sale of the Bonds;

f. Specimen Bonds; and

g. A Bond Assignment Agreement between Davenport and SunTrust Bank.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Appomattox, Virginia:

1. All costs and expenses in connection with the refunding of the Outstanding Bonds, the undertaking of the acquisition, construction, equipping and furnishing of the Project and the issuance of the Bonds including the Authority's expenses, the fees and expenses of the County, and the fees and expenses of Bond Counsel and Davenport and other fees and expenses related thereto, for the sale of the Bonds, shall be paid from the proceeds there from or other funds of the County. If for any reason the Bonds are not issued, it is understood that all such expenses shall be paid by the County and that the Authority shall have no responsibility therefore.

2. The Board of Supervisors hereby instructs Davenport and Bond Counsel to take all such action as necessary or appropriate to conclude the purchase of the Bonds by Davenport.

3. The Board of Supervisors hereby instructs the Bond Counsel to take all such action as necessary or appropriate to conclude the financing with Davenport as set forth in the Bond Purchase Agreement by the issuance of the Bonds of the Authority.

4. The following plan for financing the costs of the refunding of the Outstanding Bonds and the costs of the Project is approved. The Authority shall use the proceeds from the issuance of the 2009A Bond to finance on behalf of the County, the refunding of the Outstanding Bonds and shall use the proceeds from the issuance of the 2009B Bond to finance on behalf of the County, the acquisition, design, construction and equipping of the Project, to lease the Leased Property from the County for a lease term of approximately 30 years and to lease the Leased Property to the County for a lease term not less than the term of the 2009B Bond at a rent sufficient to pay when due the interest and principal on the Bonds. The obligation of the Authority to pay principal and interest on the Bonds will be limited to rent payments received from the County under the Lease Agreement. The obligation of the County to pay rent under the Lease Agreement will be subject to the Board of Supervisors of the County making annual appropriations for such purpose. The Board of Supervisors on behalf of the County has adopted this resolution as its moral obligation to the repayment of the Bonds. The Bonds will be secured by an assignment of rents to the bondholder as the holder thereof. If the Board of Supervisors exercises its right not to appropriate money for rent payments, the bondholder may terminate the Lease Agreement or otherwise exclude the County from possession of the Project, subject to judicial authority. The issuance of the Bonds on the terms set forth in the Bond Purchase Agreement is hereby approved.

5. The Board of Supervisors hereby approves the Documents and the form of the 2009A Bond in a maximum amount of $11,400,000 with an amortization of not to exceed 14 years, payable as to principal annually at an interest rate of not to exceed 4.83% with interest payable semiannually and the final terms to be approved by the Chairman whose execution thereof shall be conclusive evidence of such approval.

6. The Board of Supervisors hereby approves the Documents and the form of the 2009B Bond in a maximum amount of $3,500,000 with an amortization of not to exceed 20 years, payable as to principal annually at an initial interest rate of not to exceed 4.79% with a ten year put option, as described therein, with interest payable semiannually with the final terms to be approved by the Chairman whose execution thereof shall be conclusive evidence of such approval.

7. The Chairman or Vice Chairman of the Board of Supervisors, or either of them, and the County Administrator and Clerk of the Board of Supervisors are each hereby authorized and directed to execute the Documents and such other instruments and documents as are necessary to create and perfect a complete assignment of the rents and profits due or to become due in favor of Davenport, to issue the Bonds, and to lease the Leased Property.

8. The County consents to its Bond Counsel acting as counsel to Davenport in this financing.

9. The County represents and covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended **(the "Code")** or otherwise cause the interest on the Bonds to be includable in gross income for Federal income tax purposes under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the Authority or the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds from the sale of the Bonds.

10. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

11. All other acts of the officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the Bonds, and the undertaking of the refunding of the Outstanding Bonds and the acquisition, construction, equipping and furnishing of the Project are hereby approved, ratified and confirmed.

12. The County by acceptance of this financing agrees to indemnify, defend and save harmless, to the extent permitted by law, the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the Authority, the issuance of the Bonds, the refunding of the Outstanding Bonds or the acquisition, construction, equipping and furnishing of the Project.

13. Nothing in this Resolution, the Bonds or any documents executed or delivered in relation thereto shall constitute a debt or a pledge of the faith and credit of the Authority or the County, and the Authority shall not be obligated to make any payments under the Bonds or the Documents except from payments made by or on behalf of the County under the Lease Agreement pursuant to annual appropriation thereof in accordance with applicable law.

14. The County hereby designates the Bonds in the principal amount of up to $14,900,000 as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code, and allocates to the Authority in relation to the issuance of the Bonds, up to $14,900,000 of its allocation of "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. The County has not issued, and does not reasonably anticipate (nor do any of its subordinate entities reasonably anticipate) issuing more than $30,000,000 in qualified tax exempt obligations during calendar year 2009 and the County (and any of its subordinate entities) will not designate more than $30,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code during such calendar year.

15. The Board hereby reaffirms and declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the County's intent to reimburse the County with the proceeds of the 2009B Bond for expenditures with respect to the Project, made on or after March 4, 2009, which date is no more than 60 days prior to the date of the adoption of the Initial Resolution referred to in the preambles of this Resolution. The County reasonably expects that it will reimburse the expenditures with the proceeds of the 2009B Bond. The maximum principal amount of the tax-exempt obligations expected to be issued for the Project is $3,500,000.

16. The County Treasurer is hereby authorized but not required to invest proceeds of the Bonds, as appropriate, in the State Non-Arbitrage Program.

17. This resolution shall take effect immediately.

Chairman Conrad thanked Mr. Sanderson and Mr. Siegel for their hard work.

Chairman Conrad presented Administrative Item #2 – Musical Festival Permit Application and explained that Ken and Bonnie Swanson are requesting a permit to hold their annual music festival on June 13th and they are requesting that the Board waive the bond requirement. Chairman Conrad stated that staff is recommending approval of this permit and also waiving the bond requirement since the festival is being held on private property. Chairman Conrad called for discussion.

Mr. Carter made a motion to approve the festival permit and to waive the bond requirement. Mr. Moore seconded Mr. Carter's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #3 – Special Meeting and explained that Congressman Perriello had confirmed that May 27, 2009 at 4:00 p.m. he will be available to

meet with the Board, EDA and Town Councils and more information will be provided within the next several days.

Chairman Conrad stated that we are basically making ourselves available to work with Congressman Perriello on future projects.

Chairman Conrad presented Administrative Item #4- Additional Holiday Request and explained that most of the constitutional officers and department heads are requesting that the Board grant Monday, July 6, 2009 and Friday, September 4, 2009 as additional holidays. Chairman Conrad called for discussion.

Mr. Carter stated that he did not have a problem with this especially since employees are not receiving any raise and this would be a good incentive.

Mr. Carter made a motion to approve Monday, July 6, 2009 and Friday, September 4, 2009 as additional holidays. Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #5 – Adoption of the Budget and Tax Levy and explained that a public hearing was held on May 11, 2009 on the proposed FY2010 budget and the proposed increase in the real estate tax levy. Chairman Conrad stated that staff recommends making any changes that the Board wishes to the budget and then adopting the budget as changed, and also staff is recommending adopting a tax rate to support the FY2010 budget. Chairman Conrad called for discussion.

Ms. Ferguson explained that after making the proposed changes from the last budget workshop and with the tax rate being set at .54 cents per 100, the County would have $312,994 available in the operating reserve which would allow you to reduce $281,220 which would be .02 cents on the tax rate which would leave $31,774 in operating reserve.

Ms. Ferguson also explained that she had been notified that CSA administrative funds will continue to be allocated to the localities which would give us additional funds in the amount of $9,201.00 in the revenue which could be added to the operating reserve.

Ms. Ferguson stated that in reviewing the budget she noticed that there was $10,400 dollars in the E911 budget that can be removed and added to operating reserve. Ms. Ferguson stated that even by reducing the budget by $281,220 which would save you two cents on the tax rate increase, you would still have $51,375 in operating reserve which is about what we had in operating reserve this year. Ms. Ferguson stated that we have managed this year with this amount being in operating reserve. Ms. Ferguson stated that with the new debt service schedule by restructuring the debt and adding the proposed new debt you would have an $891,051 dollars savings in debt service over what was proposed in the budget. Ms. Ferguson stated that this amount would equate to 6.0634 cents in the tax rate and she stated that Davenport has recommended that the Board retain those funds for the new school projects that we are aware are needing to be addressed. Ms. Ferguson stated that is not saying that the Board could not use a

portion of this money to lower the tax rate. Ms. Ferguson stated that the Chairman of the School Board has requested that the Board reinstate the $367,310 dollars back into their budget. Ms. Ferguson stated that with the debt restructuring the school budget will already realize $123,700 in savings annually because where they have been making that amount of payment to Dominion Virginia Power the County will now be making that payment on that debt with the new loan structure, so by approving the new bond issue you would already be freeing up $123,700 in the school budget. Ms. Ferguson stated that she has been notified that due to the March membership the school will have $140,000 in the schools budget of local funds at the end of this year and they made her aware of this hoping that the Board would apply this towards what their proposed budget had been reduced by.

Ms. Ferguson asked if the Board had any questions.

Ms. Ferguson stated that if the Board was to leave the $123,793 in their budget and if you choose to give them back the $140,000 remaining at the end of the year the loss to the schools requested budget would be $103,000.

Chairman Conrad stated that when you look at the school expenditure at the end of each month the schools have a lot of money left at the end of the fiscal year which they spend on many different things and he has been made aware of equipment that they are now in the process of buying. Chairman Conrad stated that a lot of money is going towards the football fields and tennis courts he has concerns that this money should be going towards building projects.

Chairman Conrad stated that he has received many telephone calls and comments on the streets on raising taxes and we are not showing that we are trying to save. Chairman Conrad stated that he is not in favor of returning the money to the schools.

Chairman Conrad stated that he wants to see taxes be as low as possible in this county and he wants to see that this county does not suffer any more than necessary.

Mr. Carter stated that he took to heart what the Chairman of the School Board said at the public hearing when he stated what do they have to do to give us an honest budget and that this is not a padded budget and it is what it is going to take to operate and they have looked at this very carefully and presented to the Board a valid budget. Mr. Carter stated that he also is not in favor of raising taxes and does not think any of the Board members are in favor of raising taxes, but at this time he feels it is necessary. Mr. Carter stated that he is in favor of giving this money back to the schools.

Chairman Conrad stated that he feels that no matter what we would have cut from the schools budget, he feels that they would have still come to the podium and stated that it was still not enough money. Chairman Conrad stated that not everything is as it appears.

Mr. Tanner stated he went to the ground breaking of the football and baseball field and stated that all of this was needed. Mr. Tanner stated his daughter played tennis and the tennis courts are cracked uneven and Mr. Tanner stated that these are our children that are getting injured and they are also the future of this county.

Chairman Conrad stated that we are a high school football and we do not need a college set up for high school sports.

Chairman Conrad stated that education is the number one priority.

Mr. Craft stated that athletics will keep some children in school.

Ms. Ferguson stated that the changes in the school funds would not have to be part of the new budget. Ms. Ferguson stated that this is something that the Board would supplement in the New Year back to the school.

Mr. Carter asked if a motion needed to be made to return the $140,000 back to the school and Ms. Ferguson stated that it should be made in the form of a motion.

Mr. Carter made a motion to return the$140,000 back to the School Boards budget. Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, nay; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Ms. Ferguson stated that the Board could reduce the advertised tax levy from .10 cents per one hundred to .08 cents and realizing a .06 cents in the debt service so you could in fact take .06 cents off of that which would bring the increase to a .02 cents tax levy increase, but we need to remember if the Board does this we are not doing what Davenport has suggested, and you would not be leaving anything in there to build on, which is the reason that we refinanced all the debt.

Chairman Conrad asked what we are paying for an Economic Development Director at this point in the budget.

Ms. Ferguson stated that the proposed Economic Development budget is $169,627.

Chairman Conrad questioned how much did John Spencer need to operate?

Ms. Ferguson stated that the proposed budget is $63,491 which is included in the $169,627.

Chairman Conrad stated that we could take some of that money to put towards what Davenport has suggested and it could also help in reducing some of the debt service. Ms. Ferguson stated that she is not sure you could use this to reduce the debt service, but with the $100,000 dollars left over could be put in operating reserve.

Mr. Carter asked Chairman Conrad if what he was suggesting was to not put any funds into the hiring of an Economic Development Coordinator. Chairman Conrad stated that is what he is suggesting at this time.

Mr. Tanner stated that this position was put into the budget at the last budget meeting.

Chairman Conrad explained that the only thing that was done at the last meeting was to determine that if we hired a Economic Development Coordinator the amount that we would pay them, but it was indicated that we would bring this back for discussion at the time of budget to determine if it would be prudent to hire someone at this time and if we did hire someone we would apply the job description and salary as documented. Chairman Conrad stated that the Board has not approved an Economic Development Coordinator prior to this meeting.

Mr. Carter stated that once again this board needs to put one cent in the budget to hire an Economic Development Coordinator.

Chairman Conrad stated that he did not feel we need an Economic Development Coordinator at this point especially since we did not receive any stimulus money for the water line and are looking at obtaining more money for the water line and when you do this basically we may not get any grant money and we may get some loans and if that we want to look at incurring more debt then he guess you could look at it from that stand point. Chairman Conrad stated that the point is an Economic Development Coordinator can be hired at any time, but right now he does not see where a Economic Development Coordinator is going to help us at all and he does not think we are looking at the total expense as to what we have coming here.

Mr. Carter stated that this is the very reason that we need this Economic Development Coordinator which will rectify this problem. Mr. Carter pointed out that we do not have the industry in here to help any of these citizens who have lost their jobs with Thomasville and this position could help us with this.

Chairman Conrad stated that we are looking right now at rectifying this problem, we have Wal-Mart coming and we are moving forward with the water line and hopefully this is just two steps that will start us towards where an economic development coordinator would be an asset. Chairman Conrad stated that if we hire someone at this position and we may not get much for the money.

Mr. Carter stated that we could say a lot of things; we could say that this Economic Development Coordinator is going to cost five million dollars as far as that goes we could say we are going to put up 25 shell buildings, but that is not what we are saying at all. What we are saying is that we need an Economic Development Coordinator that will enhance our tax base and will be here eight hours a day either sitting behind a computer or knocking on doors or going to Richmond, but doing what is necessary 100% of his/her time.

Chairman Conrad stated he is not suggesting not hiring an economic development coordinator but that this is not the most prudent time to hire someone in this position; we could maybe pick up this position at a later date.

Mr. Tanner stated that we cannot afford to not hire someone in this position. We need to have someone to push this waterline everyday.

Mr. Carter stated that this is not an expense but an investment. Mr. Carter stated that we have been losing out on this year after year and we are losing out on any kind of industry, technology that could be coming to our county.

Mr. Craft stated that since January there has been one inquiry for development in the Region 2000 area.

Mr. Carter stated that we have got to go out and actively pursue industry; they are not going to come and ask us if they can go in our industrial park.

Chairman Conrad stated that the Board could argue over this all night, but he is not going to change his mind and he is sure that Mr. Carter will not change his so the Board will need to come to some consensus on this position.

Mr. Tanner questioned if the .01 cent of the tax increase would fund this position. Ms. Ferguson stated that it would fund this position.

Chairman Conrad stated that he did not feel one cent would cover all of the needs of an economic development coordinator.

Mr. Carter stated that we can hold at this budget figure as they will be reporting to the County Administrator.

Mr. Carter made a motion to sustain necessary funds in the FY2010 budget for an economic development coordinator. Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, nay; Mr. Craft, nay; Mr. Moore, nay; Mr. Tanner, aye.

Mr. Carter stated that he would like to see $10,000 dollars put into a CIP account for the Community Park. Mr. Carter stated that we need to get this park up and going.
Mr. Carter made a motion to put $10,000 dollars into the Community Center CIP budget. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

There was in-depth discussion from the Board on the proposed FY2010 budget.

Mr. Craft made a motion to adopt the FY2010 budget with changes as noted at tonight's meeting. Mr. Conrad seconded Mr. Craft's motion. Chairman Conrad called for a Roll Call Vote: Mr. Carter nay; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, nay.

Mr. Craft made a motion to adopt the tax levy at .49 cents per one hundred. Mr. Conrad seconded Mr. Craft's motion. Chairman Conrad called for a Roll Call Vote: Mr. Carter, nay; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, nay; Mr. Tanner, nay.

Mr. Tanner made a motion to adopt the tax levy at .48 cents per one hundred. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #5A – Resolution on the STAG Grant and explained that this resolution would designate Mr. Johnnie Roark as the authorized representative to transact any business and sign all documents related to the STAG Grant. Chairman Conrad stated that staff recommends approving this resolution.

At the regular meeting of the Appomattox County Board of Supervisors on May 18, 2009, the Board of Supervisors adopted the following Resolution for the submittal of an application to the United States Environmental Protection Agency funding through the States and Tribal Assistance Grants (STAG) program.

RESOLUTION

WHEREAS, the Appomattox County Board of Supervisors voted in December, 2006 to commit to the Route 460 Water Line Project from Concord to the town limits of the Town of Appomattox; and

WHEREAS, on January 20, 2009 the Appomattox County Board of Supervisors authorized the County Administrator to begin engineering and design and move forward through construction of the Route 460 Water Line; and

WHEREAS, the Route 460 Water Line Project consists of 7.5 miles of twelve (12) inch ductile iron pipe and appurtenances along the main transportation corridor for the County; and

WHEREAS, during the most recent drought of record Appomattox County found its well water supply for individual users strained by the impacts of the drought, thus prompting the search for an alternative source of water; and

WHEREAS, Appomattox County and Campbell County Utilities and Service Authority are cooperating on this project for the water source, which will be the Otter River; and

WHEREAS, the Route 460 Water Line Project will greatly enhance the quality of life for residents along this corridor by providing a safe, reliable, and public source of water; and

WHEREAS, public safety will be greatly enhanced along the Route 460 Corridor due to increased fire flows for established commercial businesses and making hydrants available for fire protection to homes; and

WHEREAS, future economic development along the Route 460 Corridor will rely upon this water source and will improve the tax base for all citizens of Appomattox County;

THEREFORE, BE IT RESOLVED, the Appomattox County Board of Supervisors do hereby name and appoint Johnnie Roark, County Planner, as their authorized representative to transact and sign any and all documents related to the securing funds from the Federal Grant awarded to the County of Appomattox as administrated by the United States Environmental Protection Agency.

Approved on this day, the 18th of May, 2009.

Mr. Tanner made a motion to approve the resolution on the STAG Grant authorizing Mr. Roark as the authorized representative to transact any business and sign all documents related to the STAG Grant. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #5B- Application for Fire Works and explained that the Town of Appomattox is requesting a fireworks permit for Saturday, July 4th 2009, at John Cole's Farm located on Red House Road. Chairman Conrad called for discussion.

Mr. Carter made a motion to approve a Fireworks Permit for the Town of Appomattox for Saturday, July 4th, 2009 to be held at John Cole's Farm located on Red House Road. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #5C- Broadband Authority and explained that John Spencer is requesting that the Board schedule a Special Meeting on June 22, 2009 at 6:00 p.m. with the EDA, for Bryan David to come before the Board and explain how a Broadband Authority works. Chairman Conrad stated that staff is recommending scheduling a Special Meeting to receive information on a broadband authority. Chairman Conrad called for discussion.

Mr. Craft made a motion to approve the special called meeting on June 22, 2009 at 6:00 p.m. with the EDA, for Bryan David to come before the Board and explain how a Broadband Authority works. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for discussion.

Mr. Carter stated that he hoped this would bring some money into the county, hearing no further discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next called on Mr. Carter to present Administrative Item #5D- Trade Assistance for communities. Mr. Carter began by stating that he would like to refer to the handout (board file) from Congressman Perriello on "How to" Manual on Trade Adjustment Assistance in the American Recovery and Reinvestment Act. Mr. Carter specifically stated that we are all aware that Thomasville has laid off numerous workers mostly due to overseas trade and because of that Congressman Perriello has sent this out which provides a opportunity if a community fits the mold to obtain part of the five million dollars which we may not receive anything, but it is an avenue for us to look at and to tackle and see what the results would be. Mr. Carter stated that we have nothing to lose and everything to gain. Mr. Carter stated that he had also been made aware that some of the Thomasville workers have obtained benefits from this act. Mr. Carter stated that what he is asking is that the Board has staff investigate this through its entirety to see what we can do to obtain these funds.

Chairman Conrad called for discussion; Mr. Tanner stated that he feels this is something worth looking into. It was the consensus of the Board to have Ms. Ferguson look further into this.

Chairman Conrad presented the Consent Agenda and called for discussion.

Mr. Tanner made a motion to approve the Consent Agenda as presented. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

CONSENT AGENDA:
Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:
Clerk of the Circuit Court
supplement by consent and appropriate $8700.00 to 2106-3010 Data Processing in the Clerk's budget to pay a server license fee. This money will be reimbursed to the County from the Technology Trust Funds held for Circuit Court Clerk's.
Library
supplement by consent and appropriate $843.15 to the following line items: 7301-5401 Office Supplies $530.20 and 7301-5411 Books $312.95 for donations received, book replacement fees and book sales.
Debt Service
supplement by consent and appropriate $3,750.00 to 8103-8002 Courthouse Bond to cover a shortage in the bond payment. This money is reimbursed from the bond proceeds.

FUND TRANSFER:
Sports Complex Fund
transfer by consent $7000.00 from the Sports Complex Fund to the General Fund to pay the enclosed bill.
Revenue Maximization Fund
transfer by consent and supplement $34,190.23 from the Revenue Maximization Fund to the General Fund to line item 5310-3001 to pay for services provided to non-mandated children through the Comprehensive Services Act.

LINE ITEM TRANSFER:
General Properties
approve the following line item transfer:
$16,583.00 from Professional Services in 1101-3002 to Repairs and Maintenance 4302-3004.

Chairman Conrad presented the Information Items and called for discussion, hearing none, Chairman Conrad presented the Upcoming Meetings which will be May 27th, @ 4:00 with Congressman Perriello, Monday, June 1st, 2009, Regular Scheduled Meeting, Monday, June 15th, 2009, Regular Scheduled Meeting. Chairman Conrad called for any further discussion, hearing none, Mr. Craft made a motion to adjourn the meeting at 8:00 p.m. Mr. Moore seconded Mr.

Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 8:00 p.m.

Thomas H. Conrad, Chairman

On Monday, June 1, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT: William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District
Samuel E. Carter – Appomattox Courthouse District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant
Johnnie Roark – Planner

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. Mr. Moore delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Additional Item #6A – Town of Appomattox, Item 6B- Oakville School Demolition and Item 6C- Museum of Confederacy was added to the Administrative Items.

Chairman Conrad called for Public Comment and explained the procedure for addressing the Board during this time.

Mayor Paul Harvey came forward and thanked the Board for the opportunity to come and speak at tonight's meeting. Mayor Harvey then stated that he would like to speak in favor of the Economic Development Director position, and then stated for the County to be able to see some economic benefit from the water line which he feels was a good decision of the Board, he feels the County needs a professional person to come in with some business and industry contacts which will help not only the County but also the Town of Appomattox.

Chairman Conrad called on Mr. Chad Millner to come forward. Mr. Millner came forward and stated his address as 6560 Promise Land Road, Appomattox, Virginia. Mr. Millner thanked the Board for the opportunity to speak and then stated that he is in favor of a full time Economic Development Director who he feels would be able to market Appomattox County in order to attract new businesses and industry as well as retain existing businesses and industry which will enhance the local tax base, thereby reducing the tax burden on everyday citizens. Mr. Millner stated that he asked in his first EDA meeting how much time was devoted on Economic Development and he was told twenty-five percent. Mr. Millner questioned can the citizens of Appomattox County survive one more year with only twenty-five percent of County time being devoted towards economic development efforts instead of hiring a full time director of economic development who can devote one hundred percent of his or her time towards economic development efforts.

Chairman Conrad called on Mr. Garet Bosiger to appear before the Board. Mr. Bosiger came forward and stated his address as 3314 County Line Road, Appomattox, Virginia. Mr. Bosiger stated that he would like to address the economic development position and stated that he could speak with personal experience and began by stating that sixteen years ago he and his wife started their own manufacturing company and first looked at Appomattox County which at that time did not have an IDA or anyone working with economic development. They eventually made the decision to locate their business in Charlotte County. Mr. Bosiger stated that he now is the largest private employer within Charlotte County. Mr. Bosiger stated that we can change the revenue in Appomattox County by getting revenue from other sources like business taxes.

Chairman Conrad called on Mr. Richard C. Wilson to appear before the Board. Mr. Wilson came forward and stated his address as 514 Gum Branch Road, Appomattox, Virginia. Mr. Wilson stated that he was in favor also of the economic development coordinator. Mr. Wilson stated that next year the schools and sheriff is going to need more money and we have no new revenue coming in. Mr. Wilson questioned what the Board was going to do next year other than tax the citizens again.

Chairman Conrad called on Ms. Jennifer Jamerson Scruggs to come and appear before the Board. Ms. Scruggs came forward and stated her address as 10404 Redhouse Road, Appomattox, Virginia. Ms. Scruggs stated that it is imperative to look for a way to lower the tax base and create jobs in this community. Ms. Scruggs stated that she feels the economic development director position should have been created by the Board of Supervisors years ago in correlation with development of the IDA. Ms. Scruggs stated that economic development is very competitive and Appomattox County needs to be competitive and proactive in pursing contacts that come in the area. Ms. Scruggs stated that we need to seek economic development aggressively and be able to be able to offer a competitive package to entice companies and businesses to our location. Ms. Scruggs stated that we will be able to accomplish this by hiring a professional and qualified experienced individual that has a proven track record of accomplishments and obtained goals in economic development.

Chairman Conrad called on Mayor Robert Mitchell to appear before the Board. Mayor Mitchell came forward and stated that he would like to supplement all the other comments that he had heard tonight. Mayor Mitchell stated that he is in favor of the position of an economic development director and also feels that this position is necessary.

Chairman Conrad next called for other citizens who would like to speak that did not sign in. Hearing no other citizen comments, Chairman Conrad presented Administrative Item#1- "Watch for Children" sign and explained that Mr. Tanner had received a request to have a "Watch for Children" sign installed on Route 755. Chairman Conrad called for comments from the Board.

Mr. Tanner stated that this request is off of Lyle Thomas Road and there are a lot of families with small children who live in that area.

Mr. Tanner made a motion to approve the "Watch for Children" sign to be installed on Route 755 and allow transportation funds to be used to purchase the signs.
Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#2 – Appomattox County Chamber of Commerce Request. Chairman Conrad explained that the Chamber is planning to hold their annual "2009 Ember Festival and BBQ Cook-off Competition" on October 3, 2009 in Courtland Field and they are requesting that the Board waive the $100 per day fee for this event. Chairman Conrad called for comment.

Ms. Ferguson stated that this is a normal request and she understands the funds go back into the community to help with community projects. Chairman Conrad called for other comments, hearing none; Mr. Carter made a motion to approve the request to allow the Chamber of Commerce to hold their annual "Ember Fest & BBQ Cook-Off Competition" and also to waive the $100 per day fee for this event. Mr. Moore seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented Administrative Item#3 – The Archaeological Conservancy and explained that a letter had been received from Andy Stout, Eastern Regional Director for the Archaeological Conservancy requesting that he be granted real estate tax exemption for the Pamplin Pipe Factory property. Chairman Conrad also explained that the Conservancy is not one of the groups that the Legislature has exempted by designation in the Code of Virginia; therefore in order for them to be exempt the Board of Supervisors must pass an ordinance granting this exemption. Chairman Conrad explained that in the past the Board has chosen not to become involved with these issues by making this type designation and gave Walter Gum Manor as an example. Chairman Conrad called for discussion.

Mr. Overstreet explained that in 2004 he had provided the Board with a memo explaining the legislature changing on the tax exemption status by designation. Mr. Overstreet explained that in previous years the Code required the Board to hold a public hearing and make a recommendation to the state legislature and then state legislature would add the organization by designation and in 2003 the state handed this back over to the local government. Mr. Overstreet stated that in 2004 other counties developed policies on how to handle this while the Code of Virginia gives you a list of things to consider. Mr. Overstreet stated that the Board at that time made the decision to

not develop a policy, and the board had the attitude that they were not going to grant any tax exempt status. Mr. Overstreet stated that if this Board wants to change this decision, he would suggest looking at other localities and their policies to give us a procedure to follow so that we treat each organization the same when they make a request. Mr. Overstreet stated that this Board needs to consider if they want to change this policy of not granting these exemptions and then if they choose to do so, develop a policy.

Chairman Conrad called for other comments.

Mr. Carter questioned if the Board does change the policy, would this mean nothing would be grandfathered in from 2004 until this date. Mr. Overstreet stated that we have not granted any and Ms. Ferguson explained that we have only had one other request. Mr. Overstreet stated that organization would be able to come back and ask again.

Mr. Overstreet stated that he would like to send the board the memo that was given in 2004 and then let the Board make a decision on what they would like to do.

It was the consensus of the board to take no action at this time.

Chairman Conrad presented Administrative Item #4- Appropriations Resolution for Fiscal Year 2010 and stated the Board would need to approve this resolution for Fiscal Year 2010.

Mr. Carter stated that he would like to offer a motion to approve the Appropriation Resolution FY2010 as presented, but with one change and that would be to move $84,000 from 1101-the Board of Supervisors to 8105- Economic Development for salaries/wages and benefits.

Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for discussion.
Mr. Tanner stated that the Board had a room full of citizens tonight and not one of them is against the position for economic development director. Mr. Tanner stated that he felt the Board had taken on a bold project with the waterline, but we all know that it was necessary and also goes in conjunction with this position for economic development director. Mr. Tanner stated that you would only be adding $84,000 and that does not add anything to the tax rate it does not equal to one cent in the tax rate. Mr. Tanner stated that this money is available and it is just a matter of where we put it in the budget. Mr. Tanner stated that he is in support of making that change and making the change tonight. Mr. Tanner stated that when the economy gets better we need to be ready and have someone already with their feet on the ground and ready to go.

Chairman Conrad questioned if what he understood was correct which would be to move $84,000 out of 1101 – Board of Supervisors to 8105 – Economic Development. Chairman Conrad then called for other comments.

Mr. Craft stated that he did not have a problem with making this change but over the last two years the Board has dipped into County reserve funds, $200,000 each year, and we have also promised the school we would set aside money for capital projects in which we have not set aside a dime yet and now here we are again this year having to dip into these funds again. Mr. Craft stated that he is not against the economic development director position; however he feels

this is not the time to fund this position. Mr. Craft stated that we have got to build the County's reserve funds.

Chairman Conrad asked Ms. Ferguson that if 9104 under capital projects is money set aside for school projects. Ms. Ferguson stated no; Ms. Ferguson also stated that the Board could use some of that money for that purpose however; Davenport does not recommend doing this.

Mr. Tanner reiterated that the $84,000 is not close to a penny in the tax rate.

Chairman Conrad stated that after hearing the comments tonight, and having discussion with Board members individually time and time again, and also discussing this with Ms. Ferguson his concern is that the person we hire must be an individual that is qualified and will get the job done. Chairman Conrad stated that he is aware that this does not come cheap. Chairman Conrad stated that he still has a question about what is in the minutes of the action taken at the April 21, 2009. Chairman Conrad stated that even if we vote on making this change tonight we can change this decision after we find out if we have already agreed or not agreed on this at the next meeting. Chairman Conrad stated that he would like the minutes prepared and ready by the June 15th meeting so we can determine what was done or not done and be able to make a fair assessment of the action taken.

Mr. Carter stated that he could tell the Board verbatim what was said because he was the one who made the motion at the April 21, 2009 meeting. Mr. Carter stated that he had stated that the Board should remove the funds that were budgeted for meetings, travel, and things of that nature. At that meeting it was said that there were certain members of the Board that are on several committees and it would be only fair for them to be reimbursed for their travel. Mr. Carter stated that he said he did not have a problem with this as long as the economic development coordinator position is within the realm of this budget. Mr. Tanner stated that he had an excerpt of the April 21st meeting and he began at the end and stated that Mr. Carter stated lets do a vote and Ms. Ferguson stated someone needed to make a motion. Mr. Carter then made a motion to advertise the tax rate at ten cent, Mr. Conrad stated that a motion had been made and then called for a second, Mr. Tanner made the second, Mr. Conrad called for discussion and then called for a roll call vote; the vote went as follows Mr. Craft, nay, not at ten cents, Mr. Carter, aye; Mr. Moore, aye; Mr. Tanner, aye; Mr. Conrad, nay. Chairman Conrad asked the date of that excerpt and Mr. Tanner stated that it was April 21, 2009.

Mr. Tanner continued reading the excerpt from the April 21, 2009 meeting discussing the economic development coordinator position. Chairman Conrad stated that maybe this was not the meeting that he was thinking about and then there was discussion on what meetings the Board had discussed the economic development coordinator position.

Mr. Tanner stated that he believed the intent of the position is in the minutes and $84,000 is just being moved around in the budget and the Board would be deciding the salary of this position. Mr. Tanner stated that the salary does not have to be absorbent, but we really need this position.

Mr. Carter stated that we at this time do not need all the amenities; we just need to get someone in this position that is going to market the County of Appomattox.

Chairman Conrad called for roll call vote on Mr. Carter's motion: Mr. Craft, nay; Mr. Conrad, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #5- Animal Control Dog Seizure Update and stated that as of last week the ten day appeal period was up and staff had transferred the animals that were seized by Appomattox County Animal Control into the care of Campbell County Humane Society. Chairman Conrad called for comments.

Ms. Ferguson stated that she did not have a final total but we have spent approximately $21,000 and we still have about fifteen days that would cost approximately another $8,000-10,000 more.

Ms. Ferguson stated that the defendant has one year to pay the county back and at that time if it is not paid back we will see what will be needed to turn over to collections.

Mr. Tanner commended the staff on the handling of this situation which he feels was done in a very professional manner.

Chairman Conrad presented Administrative Item#6 – Appomattox Lions Club and stated that they are asking the Board to make several exceptions to the rules concerning the use of Courtland Field for their August event.

Chairman Conrad stated that this is basically the same request as they made last year for their event.

Mr. Tanner made a motion to approve the request by the Appomattox Lions Club granting several exceptions to the rules for use of Courtland Field for their August event. Mr. Moore seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #6A- Town of Appomattox – Chairman Conrad explained that the Town has written a response to the Board's request concerning the cooperation on the 460 waterline project. Chairman Conrad called for discussion.

Mr. Craft stated that it would be good to have on the Agenda for the June 15, 2009 meeting which would give the Board time to digest the information that they had been given.

It was the consensus of the Board to table this matter until the June 15th, 2009 meeting.

Chairman Conrad presented Administrative Item #6B- Oakville School Demolition and explained that three bids had been received for the demolition of the Oakville School which is as follows: Knights Dirt Diggers, $5,245.00; H.L. Carter, $12,000.00; and TCM $19,600.00. Chairman Conrad stated that staff is still dealing with a small amount of lead abatement and demolition will not proceed until the lead issue is resolved. Chairman Conrad called for discussion.

Mr. Craft made a motion to accept the low bid of $5,245.00 from Knights Dirt Diggers with exception lead is removed before demolition. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none; he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next questioned if the Board may need to enter into closed session for Administrative Item#6C. Mr. Overstreet stated that a closed session may be needed to discuss this item. Chairman Conrad asked if the Board would like to complete the other agenda items and then come back for discussion on item 6C- Museum of the Confederacy. It was the consensus of the Board to complete all items on agenda before discussing Administrative Item-#6C.

Chairman Conrad presented the Consent Agenda and called for comments from the Board.

CONSENT AGENDA:

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:
Animal Control
supplement by consent and appropriate $50.00 to 3501-5402 Food/Food supplies for a donation received.
Comprehensive Services Act
supplement by consent and appropriate the following to the CSA budget:
5310-3001 Professional Services $166,000.00
These funds will be partially reimbursed by the State.

FUND TRANSFER:
Sports Complex Fund
transfer by **consent** $7404.47 from the Sports Complex Fund to the General Fund to pay the enclosed bill.

Mr. Tanner made a motion to adopt the Consent Agenda as presented. Mr. Moore seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented the Informational Items and called for discussion, hearing none, Chairman Conrad called for Supervisor Concerns.

Mr. Carter stated that he was very proud of the action that the Board had taken tonight on the Economic Development Director position.

Mr. Tanner stated that he was pleased at the way the Board worked together as a group tonight.

Chairman Conrad next stated that in closed session Administrative Item#6C- Museum of the Confederacy would be discussed.

Mr. Overstreet stated that it would be necessary to discuss a portion of this item in closed session however; the Board would be able to discuss a portion of this in open session.

Mr. Craft made a motion to enter into closed session at 7:25 p.m. Mr. Tanner seconded Mr. Craft's motion to enter into closed session. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Craft made a motion to return to regular session at 7:40 p.m. Mr. Moore seconded Mr. Craft's motion. Hearing no discussion Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad read the certification motion for the Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 (A)(3)of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.
Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye

There was discussion by the Board concerning giving a donation to the Confederacy of the Museum and possibly setting an amount at the next Board meeting.

Ms. Ferguson was instructed by the Board to call Mr. Waite Rawls and let him know that the Board is not interested in purchasing property, but would consider a donation.

Mr. Tanner made a motion to adjourn the regular scheduled meeting at 7:45 p.m. Mr. Moore seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:45 p.m.

Thomas H. Conrad, Chairman

On Monday, June 15, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox Virginia.

PRESENT: Samuel E. Carter – Appomattox Courthouse District
William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. Mr. Craft delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Ms. Ferguson added to the agenda-Line Item Transfer15A and Line Item Transfer 15B for carry over balances to fiscal year 2010. Ms. Ferguson made several corrections to administrative items, the first being consent agenda item #12- Animal Control; instead of the supplement being $32,000 change to $5,000. The second correction will be under consent agenda also, item#15- Legal Services please change the transfer request from $640.00 to $200. Ms. Ferguson next asked the Board to look at the upcoming meeting schedule and stated that they have been given a revised schedule which will be adding a Special Called Meeting for June 22, 2009, with the EDA and Bryan David. This revised schedule will be deleting the July 28th joint meeting with Town Council which has not been confirmed.

Chairman Conrad called for public comment.

Mr. Claude Allen Moore came forward and stated his address as 392 Liberty Chapel Road, Appomattox, Virginia. Mr. Moore began by stating he had several items to address concerning the Board. Mr. Moore began by stating that he did not feel the Board had done their homework concerning the waterline, before making a decision, however now that we are in a contract with Campbell County, he has calculated that the County will be starting out over $16,000 in the red. Mr. Moore explained that his figure was based on the number of people signed up for this waterline he then provided the Board with how he had calculated this dollar figure. Mr. Moore stated that the point he wanted to make is that the Town has come up and asked for more time and he does not know what giving the Town more time will do, he feels it is time the Board bites the bullet and moves on with or without the Town. Mr. Moore stated that the only advantage that he sees with the Town coming on board would be they already have a structure and that would be a plus for this waterline. Mr. Moore next stated that he appreciates the Boards support in helping him while he was trying to make a decision on whether to run for the Board in Mr. Russell Moore's position. Mr. Moore stated that he had talked with each board member and had

asked questions and felt that his questions were always answered whether he liked the answer or not. Mr. Moore then thanked each Board member for their support.

Chairman Conrad called for any other person who wished to come and speak during this time that had been set aside for public comment. Hearing no other comments, Chairman Conrad moved into the Agenda for appearances. Chairman Conrad called on Mr. Donald Hart, President of VACo who has come to introduce himself to the Board, and to also update the Board on VACo activities.

Mr. Hart came forward and thanked the Board for the opportunity to speak and also for the opportunity to be in the beautiful Town of Appomattox. Mr. Hart stated that he brought greetings from Accomack County and he had been on the Board in Accomack County for 29 years and is still the baby on the Board. Mr. Hart stated that he was also bringing greeting from VACo and he wanted the Board to know that Appomattox County is very important to the state of Virginia. Mr. Hart stated that in this day and time it is so important for all counties to stick together from the smallest of Highland, to the largest of Fairfax, especially when dealing with Washington DC and Richmond. Mr. Hart stated that some of his goals this year, while president of VACo, is to develop a close relationship with each county in the state and be assessable to those counties. Mr. Hart stated that he feels your word is your bond and a handshake is a contract. Mr. Hart stated that if Appomattox County should need him on a federal, state or local level he will be there, and as long as he is president Appomattox County will not stand alone. Mr. Hart continued by stating that all these unfunded mandates are wrong. Mr. Hart stated that there were several unfunded mandates that VACo was successful in getting stopped. Mr. Hart stated that no unfunded mandates came out of Richmond this year and that he is very proud of that. Mr. Hart urged the Board to stay abreast of VACo benefits, services and offering and to take advantage of these benefits, and to also become a part of the communication list. This will give you updates on what is happening in other localities and states. Mr. Hart asked the Board to please participate in the legislative committees and have someone to sit on these committees to let them know how Appomattox County feels on issues. Mr. Hart urged the Board to have a representative from the County to serve on the Rural Caucus. Mr. Hart thanked the Board for the time they had allowed him to come and introduce himself and speak with the Board. Mr. Hart called for questions that the Board may have.

Chairman Conrad thanked Mr. Hart for taking the time to come and introduce himself and speak to the Board.

Chairman Conrad next called on Mr. Waite Rawls with the Museum of the Confederacy to come and appear before the Board.

Mr. Rawls came forward and stated that he had several items that he would like to report to the Board. Mr. Rawls stated that the Museum of Confederacy is still proceeding with plans and this project continues to grow, and has now become approximately an eight million dollar project. When completed, and they have spent approximately one half million on this project to date. Mr. Rawls stated that they are working hard to become a part of the Community and by doing this they have joined the Chamber of Commerce, and then were picked as the business of the month. Mr. Rawls stated that they have made good progress, and the exhibit planners are terrific

and stated, that this will be a fully modern museum and have artifacts growing in numbers which is important. Mr. Rawls stated that this is the biggest project in the entire nation for the **sesquentinnial**. Mr. Rawls stated that they have not closed on the real estate which has to be the next step. Mr. Rawls next called for questions or comments that from Board.

Chairman Conrad thanked Mr. Rawls for coming and reporting to the Board and answering questions.

Mr. Rawls asked if there was a chance that the Board would be entering into closed session to discuss this issue. Chairman Conrad stated that the Board would not be entering into closed session.

Chairman Conrad next called on Ms. Valarie Daugherty from the Appomattox Courthouse Theatre to give an update on activities of the theatre.

Ms. Daugherty came forward and thanked the Board for allowing her to come and report to the Board on the very successful third season which was just completed. Ms. Daugherty stated that they had three productions this season and had a large number of citizens in attendance and they also noticed an increase of people participating in auditions and volunteering. Mr. Daugherty stated that in the just finished third season they had 1100 people attend the three productions, 42 participate in auditions and 57 volunteers. Ms. Daugherty stated that they would be starting their fourth season in November with productions in February and April. Mr. Daugherty thanked the Board for allowing them to use the courthouse building and stated that they are able to offer a venue that cannot be offered anywhere else.

Chairman Conrad thanked Ms. Daugherty and called on Dr. Aldridge Boone and William Perrow with Appomattox County School Administration to come and speak. Chairman Conrad stated they would be speaking with the Board to request that they be allowed to establish a special account to carry forward budget funds from FY2009.

Dr. Boone stated that he would allow William Perrow to come and explain their request. Mr. Perrow stated that state legislature has provided a one time method to carry forward state and federal funds that are unspent. Mr. Perrow stated that due to the economy it has become a constant thing in his office of receiving emails urging administration to plan for running out of funds from the state. Mr. Perrow stated that at this time School Administration took major steps to reduce expenditures by not filling positions that had been approved previously, and not filling vacant positions. Mr. Perrow stated that they did not buy school buses that were in the budget, they did not buy a pickup truck that was also budgeted, along with other things. Mr. Perrow stated that they really just stopped spending. Mr. Perrow stated that Dr. Boone stopped approving travel for any distance that we could get by without and not cause an issue. Mr. Perrow stated that we have reached a point now where we have not spent enough money to meet the state requirements so with legislature being aware that this was becoming an issue they passed a one time method to put this money in a fund to be used in the next year to overcome some of the cuts. Mr. Perrow also stated that one favorable thing that has occurred, is the drop in the fuel price which has allowed them to save about $150,000 in the budget. Mr. Perrow stated that they wanted to bring this to the Boards attention, and stated that they need to use this

provision for next year. Mr. Perrow explained that the State has recommended that this be kept as a separate bank account and that it will be seen as expenditures towards local effort. Mr. Perrow stated again that they wanted to make the Board aware of this. Chairman Conrad called for comments or questions from the Board.

Mr. Carter stated that the measures taken by Dr. Boone and Mr. Perrow during this time of not knowing what was going to happen, was handled with expertise and Dr. Boone and Mr. Perrow did a marvelous job.

Dr. Boone stated that he appreciated the partnership between the Board of Supervisors and the School Administration during this time, and since he has been here in Appomattox, and he would like to say thank you.

Chairman Conrad recessed the meeting at 7:05 to begin a public hearing on Planning Commission recommendations.

Chairman Conrad reconvened the regular scheduled meeting from the public hearing at 8:00 p.m.

Chairman Conrad presented Administrative Item #1 – Central Virginia Community Services FY2010 Performance Contract and explained that attached is the performance contract with the Department of Health and Developmental Services. The State requires each participating locality to approve this document annually. Mr. Conrad stated that staff is recommending approving this document. Chairman Conrad called for comments from the Board.

Mr. Craft made a motion to approve the Central Virginia Community Services FY2010 Performance Contract. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#2 –Town of Appomattox and stated that the Board has received a letter from the Town of Appomattox dated June 1, 2009 concerning the water line project and called for discussion from the Board.

Mr. Carter stated that this issue needs to be tabled until the next scheduled meeting so that more data can be received by individual Board members.

Chairman Conrad suggested that a letter should be drafted by Ms. Ferguson stating that the Board will not be taking action until a later date and are able to collect more information.

It was the consensus of the Board to table this item until the next scheduled meeting and for Ms. Ferguson to draft a letter and send to Town Council stating the Board of Supervisors would not be taking any action at this time.

Chairman Conrad presented Administrative Item #3 – Utilities and called Mr. Roark to come forward and update the Board on the water line project.

Mr. Roark came forward and began by stating that we are making progress as we move forward on the water line project and the preliminary design is nearly complete subject to a couple of decisions the Board will need to make on the water tank site and pump station site. Mr. Roark stated that we are very close to making our submittal to the Health Department which we are hoping to get submitted by the middle of July.

Mr. Roark stated that the time line we are looking at is from July – September we will be working with the Health Department Review and October – November we will be bidding out the project and picking a contractor and in December start construction with January 2011 construction being completed. Mr. Roark stated that all of this is subject to change as we move along.

Mr. Roark stated that some issues that need to be resolved are with some of the properties that are located on Route 800 back up to Route 460 the property owners want to connect to the waterline. Mr. Roark stated we will need to get authorization to include them in the project.

Mr. Roark stated that the Stag Grant was submitted about two weeks ago. Mr. Roark stated that we have submitted the application to Rural Development and received comments with about fifteen minor items that needed to be addressed. Mr. Roark stated that those items have been addressed and re-submitted.

Mr. Roark stated that Congressman Perriello has sent some very positive feedback on the water line and feels that someone needs to make a trip to Washington and talk with him as he seems in favor of supporting us with some funding. Mr. Roark stated that we need to put together a team to go to Washington and try to get some funding. Mr. Roark stated that the Board should put together a small group and go to Washington and it needs to happen in a timely fashion.

Mr. Roark passed out documents from CCUSA and explained it was a copy of what was submitted and CCUSA has addressed the Boards concerns.

Mr. Roark stated that the Board needed to consider what type of water tank that they would like to purchase. Mr. Roark gave the differences of the type of water tanks. Mr. Roark stated that this decision would need to be made at the next meeting at the latest.

Mr. Tanner made a motion to authorize Hurt & Proffitt to proceed with the design on Stratford Road (Route 800). Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing no discussion, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#4 – Zoning and Subdivision Ordinances and stated that Mr. Roark would like to discuss proposed changes to the zoning and subdivision ordinance and possibly schedule a public hearing for receiving comments on these proposed changes. Chairman Conrad stated that Mr. Roark would like the Board to schedule an hour prior to the next regular scheduled meeting in order to go over these changes in some detail. Chairman Conrad stated that Mr. Roark also has a complete revision to the Zoning Ordinance that he will be asking the Board to approve.

Mr. Roark explained that the amendments the Board has before them will be adding Section 5.24 Public Utility Lots because we do not have an ordinance to create lots which would allow the County to buy the land needed for the tank or pump station without having to purchase a larger lot that is not needed.

Mr. Roark also explained the amendments to the subdivision ordinance that he is proposing and called for questions from the Board.

Mr. Roark stated that he would like the Board to schedule a public hearing on these proposed amendments for the second meeting in July.

Mr. Overstreet stated that maybe we could restore these amendments for advertisement and then hold the public hearing and hear how the public would want these changed.

It was consensus of the Board to hold a public hearing on July 20th on the proposed amendments.

Mr. Roark next explained that the Planning Commission has completely re-written the zoning ordinance and he would like the Board to schedule a special called meeting to go over this zoning ordinance. Mr. Roark stated that he would like the Board to schedule this meeting on July 7th at 5:30 p.m. to go over changes and have discussion. It was consensus of the Board to have the Special called meeting on July 7, 2009 at 5:30 PM in the County Administrators meeting room.

Chairman Conrad next presented Administrative Item #5 – Zoning Petitions and explained that the Board would now be making a decision on the petitions that were heard tonight during the public hearing.

Chairman Conrad presented the first petition **CUP09003-Edward & Carol Lawler,** applicant, requesting a conditional use permit to locate a swim club on property located at 372 Hidden Treasure Lane (TM# 91 (A) 13) in the Clover Hill Magisterial District. The property is zoned A-1, Agricultural. Chairman Conrad called for discussion.

Mr. Overstreet stated that it is his understanding that zoning is not based on an individual but a business and he feels that Condition #1 which states "If the property is sold or leased, thereby becoming a secondary residence for petitioner, then the conditional use permit will become invalid" be removed.

Mr. Craft made a motion to approve **Petition CUP09003-Edward & Carol Lawler** with removing the Condition that states "If the property is sold or leased, thereby becoming a secondary residence for petitioner, then the conditional use permit will become invalid of the Conditional Use Permit" as approved by the Planning Commission. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing no other discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye: Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Petition **CUP09004-Pamela Chappell,** applicant, requesting a conditional use permit to locate a commercial kennel on property located on Church Street (TM# 76-A-5) in the Southside Magisterial District. The property is zoned A-1, Agricultural. Chairman Conrad called for discussion.

Mr. Craft made a motion to accept the Planning Commission recommendation and deny Petition **CUP09004 of Pamela Chappell.** Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Petition **CUP09005-Susan Harold,** applicant, requesting a conditional use permit to locate a commercial kennel on property located at 5005 River Ridge Road (TM# 66-A-19) in the Clover Hill Magisterial District. The property is zoned A-1, Agricultural. Chairman Conrad called for discussion.

Mr. Overstreet stated that he would like to add another condition to this Conditional Use Permit if approved by the Board and that would be to limit the location to what is shown on the provided sketch.

Mr. Conrad stated that this sketch is not to scale.

Mr. Overstreet stated that this sketch does give distances to the property lines.

Chairman Conrad called for other comments.

Mr. Carter stated that he feels with the majority of neighbors in disagreement with this petition he cannot support this.

Mr. Carter made a motion to not accept the Planning Commission recommendation and deny petition **CUP09005 of Susan Harold.** Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Petition **RZ09003-Courtland Realty/Tommy O'Brien,** applicant/agent, requesting to rezone 37.42 acres of property along Route 460 (Richmond Highway) between Lees Crossing Lane (private) and Police Tower Road (Route 613). The property is divided into multiple parcels, which are a mixture of A-1, Agricultural and R-1, Residential zoning districts. The parcels are further identified as Tax Map # 63 (A) 4, 63 (A) 4 thru 7A. The desired uses include general commercial and general office uses. The property is located in the Southside Magisterial District. Chairman Conrad called for discussion.

Mr. Tanner made a motion to approve the Planning Commission Recommendation and approve Petition **RZ09003-Courtland Realty/Tommy O'Brien.** Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing no discussion he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #6 – Changes to the Personnel Policy and explained that with the new positions and hours that have been established for the convenience site attendants there has arisen a need to make a change in the personnel policy for purposes of clarifying holiday time. Chairman Conrad explained that staff is recommending approving the proposed changes to the personnel policy effective immediately. Chairman Conrad called for discussion.

Ms. Ferguson stated that we will be having some twelve hour positions beginning with the opening of the first convenience site, so a day would not be the same as it would be for office personnel. It has been determined that we need to break down our policy into hours instead of days. Ms. Ferguson stated that she wanted the board aware that record keeping of the time would change from days to hours. Ms. Ferguson stated that nothing else would change only the way we keep track of each person's time.

Mr. Craft made a motion to approve the proposed change to the personnel policy for the purpose of clarifying holiday time. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #7- Fencing Ordinance and stated that Ms. Marion Stahling has requested that the County enact a fencing ordinance to help keep her neighbors animals from coming into her yard and damaging her property. Chairman Conrad explained that Ms. Stahling is an elderly lady and unable to remove the animals on her own. Chairman Conrad stated that Ms. Ferguson has included a copy of the Code Section that would allow for this type of ordinance. Chairman Conrad called for discussion.

Chairman Conrad stated that he interpreted this almost as you would interpret a lease law.

Mr. Overstreet stated that there are two schemes in the code section one for the county to get involved and that would require an ordinance to do this. The second scheme is that the County is not involved.

Chairman Conrad stated that without the ordinance you still have a way of relief for this type of problem through a civil suit.

It was the consensus of the Board to take no action on this item.

Chairman Conrad presented Administrative Item #8 – Region 2000 Economic Development Partnership Board and explained that Supervisor Craft has been attempting to fill the vacancy created in January when Buddy Conner's term expired on the Region 2000 Economic Development Partnership Board. Chairman Conrad explained that this is a three year term beginning January 1, 2009 and ending December 31, 2012. Chairman Conrad stated that Mr. Andy Carroll had agreed to serve in this capacity as the business representative for Appomattox County. Chairman Conrad stated that staff recommends appointing Mr. Andy Carroll for a three year term beginning January 1, 2009. Chairman Conrad called for discussion.

Mr. Craft made a motion to appoint Mr. Andy Carroll to the Region 2000 Economic Development Partnership Board with term beginning January 1, 2009 and ending December 31, 2012. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #9 – Economic Development Director and stated that Ms. Ferguson has provided the Board with the approved job description and a proposed budget for this position and she is proposing to advertise for this position immediately and would like several members of the Board to agree to serve on the interview panel. Chairman Conrad stated that Ms. Ferguson is planning on housing this position at the community center where there is a vacant office that is already furnished. Chairman Conrad stated that this would allow Donna Sayre to answer the telephone for that department. Chairman Conrad stated that staff is requesting the Board consider approving the proposed budget for the economic development director. Chairman called for discussion.

Mr. Craft stated that he would like to recommend that the salary range be changed.

Mr. Tanner stated that he would like to lower the salary range from $50,000 to $45,000 and he had no problem to cap the salary at $75,000.

Mr. Tanner stated that he would like to see Ms. Ferguson also check on the grade of that position.

Mr. Carter stated that this job description states that this position would be under general direction of the Deputy County Administrator he would like to see them under the direction of the County Administrator.

Mr. Carter discussed the wording of the advertisement on this position and it was the consensus of the Board that the proposed advertisement was worded correctly.

Ms. Ferguson gave an explanation of how she had prepared the proposed budget.

There was discussion on screening of the applications that have been received and how the applicants would be selected for interviews. Ms. Ferguson stated that in reviewing the applications they all need to be screened on the same criteria.

Ms. Ferguson stated that the Board may want to consider asking Bryan David, who would be excellent, to serve on the interview panel.

Chairman Conrad stated that the Board needed to decide who would serve on this interview panel.

Mr. Carter stated that he would like to serve on the interview panel.

Chairman Conrad stated that he would like to serve on the interview panel.

Mr. Craft stated that he is also interested in serving on the interview panel.

Mr. Tanner made a motion to advertise and hire the Economic Development Director with proposed changes of tonight's meeting and adopt the submitted budget. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, nay; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.
Ms. Ferguson clarified all the changes that the Board has made tonight on the job description for the Economic Development Director position.

Chairman Conrad presented the Consent Agenda and called for discussion.

CONSENT AGENDA:

Approval of Bills

Approval of Minutes

March 16, 2009- Regular Scheduled Meeting
March 16, 2009 – Public Hearing
March 23, 2009 – Special Called Meeting
March 23, 2009 – Joint Meeting with School Board
March 25, 2009 – Special Called Meeting
April 1, 2009 –Special Called Meeting
April 6, 2009 – Regular Scheduled Meeting

SUPPLEMENTAL APPROPRIATIONS:

Animal Control:

Supplement by consent and appropriate $5,000 to 3501-3002 Professional Services in the Animal Control budget to pay for housing of seized animals.

Also supplement by consent and appropriate $70.00 to 3501-5402 Food in the Animal Control budget for donations received from interested citizens.

Library

Supplement by consent and appropriate $672.93 to the following line items:
7301-5401 Office Supplies $459.44
7301-5411 Books $113.49
7301-5415 Summer Reading $100.00
These funds have been received by the Library through book replacement fees, donations and book sales.

Extension Service

Supplement by consent and appropriate $5,071.00 to 8303-1001 Salary for the fourth quarter payment to VPI Extension. This is necessary because last year the Director did not bill for the fourth quarter payment until well into July. That left a balance remaining in their department at the close of the fiscal year.

LINE ITEM TRANSFER:

Legal Services

Transfer by consent the following: $200.00 from 1101-5804 Operating Reserve in the Board of Supervisor's budget to 1204-3002 Professional services in the Legal Services budget to pay the attached bill. No additional funds are required.

SUPPLEMENT FUNDS TO THE FY2010 BUDGET:

Information Technology Budget

As of June 30, 2009 we will have a balance of at least $50,000.00 remaining in the information technology budget that we are requesting that you carry forward to 1220-7001 Equipment in the FY2010 budget. These funds were for specific purposes and we have been unable to complete the intended projects.

Sheriff's Office

The Sheriff is requesting that you allow him to carry forward $4820.20 his remaining balance as of June 30, 2009 in 3102-5413 Miscellaneous. These funds were set aside for his accreditation process and he has not completed the projects that are associated with this yet. If allowed these funds would be supplemented to his FY2010 budget for the original intended purpose.

Library

Barry Morris, Librarian, was notified at the last minute that he has been awarded a grant in the amount of $5,850.00 for the purchase of new computers and to provide the software and technical support. Please supplement these funds to 7301-5840 in the Library's FY2010 budget.

Mr. Craft made a motion to approve the consent agenda a submitted and with changes as stated by Ms. Ferguson. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Information Items and called for discussion. Hearing no discussion, he moved forward with Supervisors Concerns before entering into a closed session.

Mr. Craft stated that he was glad to see that the Rescue Squad is doing much better at this time. He stated that he had read about awards that they had received and was glad to see them doing well.

Mr. Carter stated that the County needs to purchase a pointer for power point presentations.

Mr. Tanner stated that he feels that the Rescue Squad has achieved a great accomplishment in winning a state award.

Mr. Conrad stated that he had received a call from a member of the Board of Electoral and he is stating that before the upcoming election that are some buildings that need some repairs. Chairman Conrad stated that he would check into this further and see exactly what this member was talking about.

Chairman Conrad stated that the Board would now need a motion to enter into closed session under Code Section 2.2-3711(A)(3) to discuss the acquisition of real estate for public purposes.

Mr. Overstreet explained that the Board would need to enter into closed session to discuss the purchase of property for the water system.

Mr. Tanner made a motion to enter into closed session at 9:12 p.m. Mr. Moore seconded Mr. Tanner's motion. Chairman Conrad called discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Craft made a motion to enter back into regular session at 9:33 p.m. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad read the Closed Session Certification.
WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.
Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Moore, aye.

Chairman Conrad called for any other business the Board may have, hearing none, Mr. Craft made a motion to adjourn the regular scheduled meeting at 9:33 p.m. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The regular scheduled meeting on June 15, 2009 adjourned at 9:33 p.m.

Thomas H. Conrad, Chairman

On Monday, June 15, 2009 at 7:05 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located on 220 Community Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
John K. Spencer – Assistant County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Conrad called the Public Hearing to order at 7:05 p.m.

Chairman Conrad called on Mr. Roark, Planner, to come and brief the Board on the petitions to be heard at tonight's public hearing.

Mr. Roark came forward and explained that the Board would be hearing petition # CUP09003 of Ed and Carol Lawler who are requesting a Conditional Use Permit for property located off Hidden Treasure Lane in order to operate a swim club. Mr. Roark explained the swim club would be operated from an existing pool house that is adjacent to the Lawler's residence. Mr. Roark stated that the Planning Commission made the following recommendation at its June 8, 2009 meeting:

For reason of public necessity, convenience, general welfare and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the Conditional Use Permit petition of Edward and Carol Lawler to locate a swim club with the following conditions:

1. If the property is sold or leased, thereby becoming a secondary residence for the petitioner, then the conditional use permit will become invalid.

Chairman Conrad called for questions or comments from the public, hearing no comments Chairman Conrad ask Mr. Roark to proceed with next petition.

Mr. Roark next presented petition CUP09004 of Pam Chappell and explained Ms. Chappell is requesting a Conditional Use Permit for property located off of Church Street in order to operate a commercial kennel. The property is located adjacent to the Town of Appomattox. Ms. Chappel's residence is located in the Town of Appomattox while the kennel is located in the County. Mr. Roark stated that Ms. Chappel owns approximately 3.0 acres and combined with the residential areas the total acreage is approximately 6.77 acres and is zoned A-1. Mr. Roark

stated that the Planning Commission made the following recommendation at its June 8, 2009 meeting:

For reason of public necessity, convenience, general welfare, and good zoning practice the Appomattox Planning Commission moves to deny the Conditional Use Permit petition of Pam Chappell as the petitioner for the following reasons:

1. Petition does not meet the goals and objectives of the Economic Development component of the Comprehensive Plan.
2. The petition, if approved, would have a negative impact on the quality of life of the surrounding neighborhood.
3. Project lies within a Primary Growth Area as designated by the Comprehensive Plan. A Primary Growth Area is generally suited for agriculture and residential uses that will gradually turn over to more densely populated residential uses. A Primary Growth Area should be dominated by single-family residences.

Chairman Conrad called for comments from the public.

Pam Chappell came forward and stated her address as 1320 Church Street. Ms. Chappell stated that she would like to say that her property is zoned agriculture and when the housing development came to her area she sold her pot bellied pigs in order to keep from having a negative impact on the neighbors. Ms. Chappell stated that she does not understand how her kennel would be having a negative impact on the neighborhood when her neighbor has approximately 20 hound dogs and another neighbor has about 10 hound dogs that they both use for hunting. Ms. Chappell stated that her seven dogs do not make near the noise as her neighbors. Ms. Chappell stated that her kennel has been visited by the state veterinarian and was approved and also local animal control has visited her kennel. Ms. Chappell stated that she is working towards getting her USDA license as a commercial breeder and she has no intentions in having more than the seven dogs that she already owns. Ms. Chappell stated that she has seven females that can have one litter each year which would mean she could have approximately 24 puppies in one year. Ms. Chappell stated that with her property being zoned A-1 she feels she has right's as anyone else who is zoned A-1 whether she is adjacent to town limits or not. Ms. Chappell called for any questions from the Board.

Hearing no comments or questions from the Board or other citizens, Chairman Conrad asked Mr. Roark to present the next petition.

Mr. Roark presented petition CUP09005 of Susan Harold, and explained that Susan Harold is requesting a Conditional Use Permit for property located off of River Ridge Road in order to operate a commercial kennel on her property. The property is approximately 500 feet off the road. Ms. Harold has been operating a kennel for approximately five years and was unaware that she needed a conditional use permit until recently when she was notified by county staff (Animal Control). However, Ms. Harold has previously owned and operated a kennel in North Carolina prior to moving to Appomattox County. Ms. Harold has been in this business for approximately 13 years. Mr. Roark explained that the County has received no complaints about this kennel and Ms. Harold has gained licensure from the US Department of Agriculture to be a broker.

Mr. Roark stated that the Planning Commission made the following recommendation at its June 8, 2009 meeting:

For reason of public necessity, convenience, general welfare, and good zoning practice the Appomattox Planning Commission moves to recommend approval of the Conditional Use Permit petition of Susan Harold to locate a commercial kennel with the following conditions:

1. The commercial kennel will operate only for brokering and shall not include breeding of animals.
2. At no time shall there be more than twenty-five kennel animals located on the property. Horses and other farm animals not associated with the kennel shall be exempt.
3. If the property is sold or leased to another party, then the conditional use permit will become invalid.
4. The operator of the commercial kennel shall reside on the same property as the kennel operation.

Chairman Conrad called for public comment.

Mr. Roark gave the Chairman of the Board a copy of a petition against this petition and several letters pertaining to this petition.

Mr. Dennis Torrence came forward and stated his address as 4878 River Ridge Road, Appomattox, Virginia. Mr. Torrence began by giving the Board a copy of the petition that Mr. Roark had previously given to Chairman Conrad. Mr. Torrence stated that there are nine landowners that have signed this petition. Mr. Torrence stated that he feels that this petition speaks for the neighborhood that disagrees with the approval of this petition and asked the Board of Supervisors not to accept the planning commission recommendations and not approve this application. Mr. Torrence stated that he is not opposed to Ms. Harold making a living and there is not a problem with her, but it is a problem with the barking dogs. Mr. Torrence stated that they have not complained before and now that they have the opportunity to speak up they are taking that opportunity to do so. Mr. Torrence stated that he is sure property values will go down being beside a dog kennel. Mr. Torrence asked the Board to deny this request.

Chairman Conrad called for other comments on this petition.

Mr. Kevin O'Brien came forward and stated his address as 5605 Courthouse Road, Appomattox, Virginia and stated that he believes in property rights as well as neighbor rights. Mr. O'Brien stated that he would like to see the decision made on facts not on hear say. Mr. O'Brien stated that the County needs business no matter how small and the County needs to work with these businesses. Mr. O'Brien questioned if this can't be approved for a 60 acre parcel, then where can it be approved?

Chairman Conrad called for other comments.

Mr. Tommy O'Brien came forward and stated his address as 5054 Horse Shoe Road, Appomattox, Virginia. Mr. O'Brien stated that he is speaking on behalf of himself, Tommy and Pam Campbell as they also own adjoining farm land. Mr. O'Brien stated that Susan Harold came here and bought 60 acres with buildings that were falling down and only one building with any value. Mr. O'Brien stated that she has cleaned this piece of property up and made a successful operation. Mr. O'Brien stated that the state came in unexpected and had only one violation and that was the dog needed its teeth clean. Mr. O'Brien stated that she had obtained her license and made a successful business. Mr. O'Brien stated that as far as the noise; how do you know it is her dogs it could be some other hunting dogs, and he feels this is being blown out of proportion. Mr. O'Brien stated that he does not feel the value of land will go down by being around this kennel and stated that he would appreciate the Board's consideration in approving this petition.

Chairman Conrad called for other comments.

Ms. Magda Liska came forward and stated she is with AWAG and she has had experience with Ms. Harold calling to ask for AWAG's help in retrieving her stud dogs that have gotten loose. Ms. Liska urged the Board to go and see breeds that are being euthanized which would be the consequences if she does not follow Planning Commission's conditions.

Chairman Conrad called for other comments.

Mr. Frank Kellum came forward and stated his address as 5109 River Ridge Road, Appomattox, Virginia. Mr. Kellum stated that he does know the difference of a dog chasing a cat and one being pinned up and wanting to get out. Mr. Kellum stated that he does not want a commercial business next to him. Mr. Kellum stated that the environmental impact is great especially with noise pollution. Mr. Kellum stated that he is not the kind to go around complaining about his neighbors, but he understands this is the time to speak his opinion and he is doing so.

Chairman Conrad called for other comments.

Mr. Susan Harold came forward and stated her address as 5005 River Ridge Road, Appomattox, Virginia. Ms. Harold stated that she was not aware of operating her kennel without a permit until January when she was told by Animal Control. Ms. Harold stated that since that time she has been working on getting her kennel approved. Ms. Harold stated that if she had known this, she would have done this before now. Ms. Harold stated puppies do not make a lot of noise and this is her life. Ms. Harold stated that she has a three year old child to rise and she has now lived here for five years and not once has she ever received a complaint about her dogs until she tried to do what is right by getting her kennel license. Ms. Harold stated that she would appreciate the Board considering her request.

Mr. Terrence White came forward and stated that he lives with Ms. Harold and he began by stating that he did not understand how you can have 50 hunting dogs and not have a problem but because she wants to breed and have puppies it becomes a problem.

Chairman Conrad called for other comments.

Mr. Zane Torrence came forward and stated his address as 4828 River Ridge Road, Appomattox, Virginia. Mr. Torrence stated that Ms. Harold may own 60 acres but this kennel is on the front side and being only 250 feet from where he is planning to build his home.

Chairman Conrad called for other comments.

Ms. Donna Wilkes came forward and stated that she is a resident of Appomattox County and also a member of the organization of AWAG. She stated that she wanted to know what was the difference between getting a permit to be a broker versus a breeder and she also request the County look further into this matter before allowing the kennel to operate.

Ms. Pam Chappell came forward and explained the differences between a USDA license for a broker versus a breeder license.

Chairman Conrad called for other comments, hearing no other comments for petition CUP09005, he asked Mr. Roark to present the next petition.

Mr. Roark presented petition RZ09001 and stated that Courtland Realty is requesting to rezone property located on Richmond Highway (Route 460) from Agricultural District, A-1 & Residential District, R-1 to Commercial District, B-1. Mr. Roark explained that the property is currently vacant and is approximately 37.42 acres.

Mr. Roark stated that the Planning Commission made the following recommendation at its June 8, 2009 meeting:

For Reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moved to recommend approval of the petition of Courtland Realty/Tommy O'Brien as submitted.

Chairman Conrad called for public comment on Petition RZ09001, hearing no comments on this petition, Chairman Conrad closed the public hearing at 7:50 p.m.

Thomas H. Conrad, Chairman

On Monday, June 22, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a special called meeting in the Appomattox Community Center located on 220 Community Lane, Appomattox, Virginia 24522

Board of Supervisors:

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. Samuel E. Carter – Courthouse District
Mr. William H. Craft –Appomattox River District
Mr. Russell H. Moore – Piney Mountain District
Mr. Gary W. Tanner – Wreck Island District

EDA

Present: Mr. Bill Slagle – Chairman
Ronnie Spiggle
Mr. Chad Millner
Mr. Winfred Nash
Mr. Buddy Conner
Mr. Bill Slagle
Ms. Laurie Harris
Mr. Anthony Rago

Also Present: Mr. Bryan David - Region 2000 Economic Development Council
Mr. Jeff Gore – Hefty & Wiley

Also Present: Aileen T. Ferguson – County Administrator
J.G. Overstreet – County Attorney
John Spencer – Assistant County Administrator
Johnnie Roark – Planner
Vicky Phelps- Administrative Assistant

Chairman Conrad called the special meeting of the Appomattox County Board of Supervisors to order at 6:00 p.m. and stated that the purpose of the Special Meeting was for the Board of Supervisors and the Economic Development Authority to meet jointly and allow Mr. Bryan David to provide information related to the creation of an Appomattox County Broadband Authority.

Mr. Slagle called the EDA to order at 6:00 p.m.

Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Conrad turned the meeting over to Mr. Bryan David, Executive Director of Region 2000 Economic Development Partnership, who was assisted by Mr. Jeff Gore, an attorney with Hefty and Wiley.

Mr. David explained that as a region, we need to move toward a technology-based economic development program. Such a program has four components, the first of which is the development of intellectual infrastructure that would allow us to create ideas for innovation. This component is represented by the Center for Advanced Engineering Research (CAER), which exists to perform real and valuable research to make our regional businesses as competitive as possible in their various fields—particularly nuclear and wireless technology.

The second component would be the ability to transfer information, knowledge and innovation from one person to another or from one company to another. The third element would be the

continued development of physical infrastructure, namely broadband. This component is the key to a component technology-based economic development program.

Mr. David stated that there is a dilemma facing local governments—how to understand and promote the fact that broadband is a transformational technology for a community along the lines of telephone and electric service a century ago, but it is inherently a private sector venture. Mr. David stated that what he was proposing to Appomattox County was a legal vehicle that would allow the public sector to manage and guide broadband development into areas that are not currently served without building, owning, or maintaining the infrastructure. Mr. David stated there is nothing that mandates the board to create an authority, but he feels that what does mandate the board to action would be hearing from citizens and businesses wanting broadband to improve some facet of their daily lives.

Mr. David stated that there were three possible approaches the County could take to further development broadband service: (1) status quo; (2) vertical integration, or the public utility approach whereby the public body designs, builds, owns, and maintains the infrastructure; and (3) the public private partnership, which Mr. David called the "overcoming barriers" approach.

Mr. David began to explain how to overcome barriers to serve areas not currently served by broadband. He stated that the major barrier is capital equipment financing, and that the recommended course of action would be to enter into a public private partnership with an Internet Service Provider (ISP) or providers, the route being pursued in Bedford and Amherst counties.

Mr. David next introduced Jeff Gore with Hefty and Wiley.

Mr. Gore started by explaining how a broadband authority would be formed and that it would be a separate legal authority. It would have the right to own and operate a broadband system as well as finance projects, including equipment and infrastructure. The Authority would also be able to enter into contract with private contractors. Mr. Gore explained why it was preferable to have the public sector involved in these activities, including the fact that localities typically have vertical assets and other infrastructure which could be used to spread the deployment of broadband. But without an Authority, the locality is ultimately limited on what it can do to manage broadband deployment.

Mr. Gore called for questions from the Board.

Mr. David stated that if the Board wanted to start an authority they could apply for a grant through the Tobacco Commission to help fund the technical and legal expertise to get an authority established. The Region 2000 Local Government Council has already procured legal and engineering services for this purpose.

Mr. David explained the ARRA Federal Stimulus Grant and how it would apply to Appomattox County.

Mr. David called for questions. After answering questions from the EDA and Board of Supervisors, Chairman Conrad thanked Mr. Bryan David and Mr. Jeff Gore for their presentation.

Next, Chairman Conrad stated that Administrative Item #3 -Bond Issue which is on the Agenda would not need to have any action by the Board at tonight's meeting.

Chairman Conrad presented Administrative Item #1 – Carver Price Educational Complex Roof Replacement Bid and stated that the enclosed bid from John T. Morgan roofing and Sheet Metal Company, Inc is for replacing an additional part of the roof on the Carver Price Educational Complex. Chairman Conrad explained that funds are available for this project.

Ms. Ferguson stated that this would not cover the cafeteria part of the school, only the kitchen area.

Mr. Carter made a motion to approve John T. Morgan Roofing and Sheet Metal Company, Inc. in the amount of $44,579.00 to replace the roof over the kitchen area in the Carver Price Educational Complex as a sole source procurement. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye; Mr. Moore, aye.

Chairman Conrad presented Administrative Item #2- Carry-Over Fund Request and explained that staff has been working on providing some handicapped accessible parking at the Community Park and to do this the approximate cost will be $15,000.00. Chairman Conrad explained that Ms. Dixon has $18,000.00 remaining in her Tourism budget from FY2009 and is requesting that the Board allow her to carry this forward to FY2010 in order to take care of this parking issue.

Ms. Ferguson gave an explanation of what would be included in the $15,000.00 charge for this project.

Mr. Tanner made a motion to approve Ms. Dixon's request to carry over the $18,000.00 from FY2009 budget to FY2010 budget to pay for the parking project at the Community Park.

Mr. Craft seconded Mr. Tanner's motion.

Mr. Carter stated that he feels this is a great opportunity for the County to come forward with some funds that will enhance the park.

Chairman Conrad called for Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye; Mr. Moore, aye.

Chairman Conrad presented Administrative Item#4- State Hiring Freeze and explained that Sheriff Staples has approached the County Administrator with a major problem that has come up due to two officers quitting within the next month. The State has a hiring freeze in place and therefore, he would be unable to fill these positions for at least three months. Officers would then have to be trained and go to school which would mean that it would be five to six months with him being two officers short. Chairman Conrad stated that Sheriff Staples is requesting that the Board allow him to fill these positions and have them in school by July 2009 in order that he will not be without officers for six months. Chairman Conrad stated that the funds are already in the budget but it would mean that there would be no State reimbursement for these two positions for at least 90 days.

Mr. Craft made a motion to approve Sheriff Staples request to fund these two positions until the State hiring freeze is lifted.

Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Item#5- Consent Agenda which would be approval of bills.

Mr. Tanner made a motion to approve the Consent Agenda as presented.

Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for a Roll Call Vote: Mr. Cater, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad reminded the Board of the Upcoming Meetings and called for any other discussion. Hearing none, Mr. Craft made a motion to adjourn the meeting at 7:25 p.m. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:25 p.m.

Thomas H. Conrad, Chairman

On Monday, July 7, 2009 at 5:30 p.m. the Appomattox County Board of Supervisors held a special called meeting in the County Administration Conference room located on 153A Morton Lane, Appomattox, Virginia 24522

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. Samuel E. Carter – Courthouse District
Mr. William H. Craft –Appomattox River District
Mr. Russell H. Moore – Piney Mountain District
Mr. Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson – County Administrator
J. G. Overstreet – County Attorney
Johnnie Roark – Planner
Vicky Phelps – Administrative Assistant

Chairman Conrad called the special meeting of the Appomattox County Board of Supervisors to order at 5:30 p.m. and then turned the meeting over to Mr. Johnnie Roark, Planner.

Mr. Roark gave background information on the Zoning Ordinance and explained that out of 95 counties 87 of them have adopted some sort of zoning ordinance.

Mr. Roark stated that Appomattox County adopted their zoning ordinance in 1988.

Mr. Roark stated that revising this zoning ordinance revision is a process and no votes are going to be taken tonight or this month. Mr. Roark explained that this is just the beginning of the Board's review and they may elect to make changes. Mr. Roark explained that the public phase of this process is just getting started as well. Mr. Roark explained that there has been a minimal input by the public through the Planning Commission phase. Mr. Roark stated that a draft of this ordinance has been placed on the website with the ability to send comments for over a year. Mr. Roark stated that no comments have been received via this method. Mr. Roark stated that a public hearing will be scheduled at the Board's discretion and on the Boards timetable.

Mr. Roark stated that the purpose of this ordinance revision is due to the Comprehensive Plan which sets forth a complete revision of the zoning ordinance as one of the main objectives.

Mr. Roark stated that the new ordinance will give the Board of Supervisors the ability to better implement the Comprehensive Plan. It will create visual protections and buffers between conflicting land uses and will improve the aesthetics along major highways.

Mr. Roark also stated that the original zoning ordinance adopted in 1988 has had some amendments, but a comprehensive review has never been done.

Mr. Roark explained that this new ordinance will improve administration, correct inconsistencies, and update processes. It will guide development to designated areas instead of development guiding you.

Mr. Roark stated that in April 2006, the Planning Commission voted to take on this challenge as outlined in the Comprehensive Plan. In July 2006, a committee began meeting setting the direction and framework. In October 2007, the committee presented the draft ordinance to the full Planning Commission and they began reviewing it page by page. In October 2008, the development of a new zoning map began and was finalized in December 2008. In May 2009, the Planning Commission review was completed and they voted to forward it to the Board of Supervisors for consideration.

Mr. Roark explained that the Planning Commission has reviewed this plan and are familiar with the content and changes. He stated that the Planning Commission has held all their discussions in open session, sought written comments via internet and utilized citizen survey results to incorporate new standards for landscaping and signage. The Planning Commission has discussed this matter at each of its last 18 meetings.

Mr. Roark stated that from this point, the Board at its discretion can determine what process to use to review the draft ordinance. Mr. Roark stated that public comment is still welcome and the Board will determine when, or if to adopt a revised version of the Zoning Ordinance and what form that should be.

Mr. Roark stated that the goal of this draft zoning ordinance is to implement the 2003 Comprehensive Plan. Mr. Roark stated that the County has made slow and steady progress in this effort by adopting the Route 460 Corridor Management Plan in 2006, the adoption of the Resource Conservation Plan in 2007 and the Revision to Subdivision Ordinance in 2007, by offering the Citizen Survey in 2008 and the Greenways Master Plan in 2008. Mr. Roark stated that this is the biggest piece so far and the most important to achieving the goals and objectives of the plan.

Mr. Roark stated that there is no reason to rush into this, and asked the Board to take their time and get this ordinance the way they want it. Mr. Roark stated that the ordinance is not perfect nor will it be perfect when we are done. Mr. Roark stated that all parties involved are needed to find errors, inconsistencies, unintended consequences and areas for improvement and this will get the County closer to realizing "The Plan".

Mr. Roark next briefed the Board on the impact of changes in this ordinance.

Mr. Roark explained that there are 11,403 parcels in the County and 95% of these parcels will see some sort of change.

Mr. Roark stated that there are 220,450 acres in the County. In this new ordinance 182,911 acres are in A-1, 26,700 acres will be in RR-1 which is a new district, 9,582 acres will be in Residential and less than 1,000 acres are in Commercial and Industrial; which is more than we have now.

Mr. Roark next summarized the ordinance and stated that this ordinance is divided into 7 articles or sections, Article 1- Administration; Article 2- Definitions; Article 3- District Regulations; Article 4-Site Development Regulations; Article 5-Signs; Article 6-Landscaping; Article7- Wireless Communication Facilities; Mr. Roark also stated that included is an extensive appendix that includes diagrams and charts to more easily administer the ordinance.

Mr. Roark stated that there will be no fee changes with this amendment and we will be changing from a "use specific" ordinance to a "land use category" ordinance which will give more flexibility to the Zoning Administrator.

Mr. Roark explained Article 1- Administration and stated that this establishes the purpose of the ordinance and sets out the processes for zoning text amendments, zoning map amendments, and Special Exceptions. Mr. Roark explained that the term "Special Exception" has replaced "Conditional Use". This change reflects the language of the Code of Virginia. This will establish zoning districts, the number of districts increases from 8 to 14 and it establishes the need for zoning permits, zoning certificates and certificates of zoning compliance.

Mr. Roark explained Article 2 – Definitions and stated that this section has over 380 terms that are defined which is an increase of over 200 definitions. Mr. Roark stated that some definitions are determined by state language, others were derived from the American Planning Association Planning Advisory Manuals. Mr. Roark stated that all uses are defined in this ordinance.

Mr. Roark explained Article 3- District Regulation and stated that this section is where some of the biggest changes start to occur.

Mr. Roark explained that A-1 minimum lot size increased from one acre to three acres, road frontage requirements increased from 150 feet to 200 feet and explained that set back and height requirements stayed the same.

Mr. Roark stated that a new district had been created which is RR-1 (Rural Residential) and this district is intended to be a buffer between truly agricultural areas and transitional areas that are gradually becoming more densely populated. The rural character will remain low density, residential would become more predominant. The minimum lot size will be one acre, road frontage 150 feet which is today's A-1 standards.

Mr. Roark stated that Residential Zones have been adjusted with a gradual density increase from the R-1 zone to a new R-3 zone. This provides developers with rewards for developing infrastructure and the highest density used would be near County services. Mr. Roark explained

that the Commercial District is split into a General Commercial (B-1) and General Office District (B-2). Mr. Roark explained that the new B-2 is provided for attractive and efficient office uses and provides a logical buffer between conflicting land use types.

Mr. Roark explained that the Industrial District has been split into three zones, Low Intensity Industrial (I-1) which is R&D, warehousing, data centers, etc.; High Intensity Industrial (I-2) which is intensive industrial uses, manufacturing, etc.; Planned Industrial Park (I-3) which is intended to be a park like atmosphere that supports light to medium industrial uses and complimentary office uses. Mr. Roark explained that the creation of the Corridor Overlay District (CO) designated Routes 460, 24, 26 and Route 60; 500 feet from the edge of each r/w in each direction. The Corridor Overlay district realizes the importance of these corridors and their aesthetic value to the community. This district increases regulations above the underlying zoning district which adds additional standards for lighting, signage, landscaping, parking and setbacks. The lot frontage in CO-is 300 feet; Front setback in CO is 100 feet; Parking setback in CO is 50 feet; landscaping- 1-tree per 25 feet of frontage, 3 shrubs per 25 feet of frontage and the maximum impervious areas in street yard = 15%. Parking requires natural islands if more than 10 parking spaces and limits to 1 access point unless Traffic Improvement Study is performed and approved by VDOT. Mr. Roark stated that setbacks may be reduced by increasing landscaping.

Mr. Roark explained Article 4- Site Development Regulations and stated that additional regulations have been incorporated for specific uses that are intended to mitigate impacts of the land use when there are conflicting land uses. This district outlines the requirements for a site development plan and there has been added increased attention to parking standards which does not require pavement, will require adequate accommodations per the use and requires adequate number of spaces for disabled.

Mr. Roark explained Article 5- Signs and stated that one of the areas that the 2008 Citizens Survey indicated support for more rigorous standards. This section provides more uniform standards for commercial signs, requires a permit to be obtained prior to placing a sign and it better addresses off-premise signs.

Mr. Roark explained Article 6- Landscaping and stated that the 2008 Citizen Survey indicated support for this type of regulation and the goals of this district will be to comply with the Comprehensive Plan, reduce soil erosion, increase infiltration in permeable land areas, mitigate air, dust, and noise pollution and provide buffers between incompatible land uses. Mr. Roark explained that the General Landscaping Requirements do not apply to single family residences, requires foundation plantings, parking area, plantings and buffering when use type conflicts with a residential use type. Mr. Roark stated the Corridor Overlay Requirements are more stringent.

Mr. Roark explained Article 7- Wireless Communication Facilities and stated this district will utilize existing sections of zoning ordinance and add some small changes made to account for engineering technology advancements.

Mr. Roark concluded his power point presentation with a summary stating that the document and maps as drafted are not perfect; fees do not change, the primary goal is to implement the Comprehensive Plan adopted in 2003, economics and market forces will drive growth, both in direction and in pace-the zoning ordinance can help direct the growth and impact what it looks like. The Board will decide when or if to adopt a revised zoning ordinance.

Mr. Roark called for questions from the Board.

Chairman Conrad questioned what affect this plan will have on the bypass?

Mr. Roark stated that this plan is not progressing to where the bypass would be affected; since that area is in Town and is greatly impacted by the Town's zoning ordinance, however, Mr. Roark stated that the Planning Commission says it wants growth on Route 460 and used the Powhatan community as an example.

Mr. Tanner questioned with the Corridor Overlay being more stringent would the old parcels be grandfathered into this ordinance? Mr. Roark stated that until the use changes, they will remain the same. This will affect new development or changes in use.

Mr. Craft stated it is clear that the Planning Commission has done a lot of work on this ordinance.

Mr. Roark stated that over the next few meetings and months we will be discussing this and see what if any changes the Board would like to see changed and what the Board wishes to do with the new ordinance.

Mr. Overstreet asked if there was any information on what the Board can do or not do with special exceptions. Mr. Overstreet stated that he wanted this Board to know that the Board of Zoning Appeals can make decisions on these if the Board would like them to do so.

Mr. Roark stated that there are two vacancies on the BZA at this time one from the Town of Pamplin and the other from the Town of Appomattox.

Chairman Conrad thanked Mr. Roark for his presentation and stated that he had done an excellent job on this and he commended him for his hard work.

Chairman Conrad adjourned the special called meeting at 6:25p.m.

Thomas H. Conrad, Chairman

On Monday, July 7, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT: William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District
Samuel E. Carter – Appomattox Courthouse District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant
Johnnie Roark – Planner

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. Mr. Tanner delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Hearing no additions to the agenda, Chairman Conrad called for Public Comment and explained the procedure for addressing the Board during this time.

Having no public comment, Chairman Conrad presented Administrative Item #1 – Agreement with Campbell County Utilities and Service Authority and explained that Mr. Roark has presented them with a draft agreement between CCUSA and the County for the purchase of water and the Board had several items of concern that they wanted addressed. Mr. Conrad explained that CCUSA had responded. Chairman Conrad stated if the Board is comfortable with the response he would need a motion to enter into an agreement with CCUSA.

Mr. Tanner made a motion to enter into the agreement with CCUSA as amended. *(A copy of the agreement can be found in the Board file for July 2009)* Mr. Moore seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #2- Town of Appomattox and explained that at a previous meeting the Board had tabled action on a letter from the Town of Appomattox regarding the Towns proposal on the water line.

Mr. Carter stated that there are several loose ends with this issue that are being worked on and asked if the Board would table this item until the July 20th, 2009 meeting.

It was the consensus of the Board to table this item until the July 20th, 2009 regular meeting.

Chairman Conrad presented Administrative Item #3- Utilities and explained that Mr. Roark provided the Board with water storage tank information at a previous meeting. Chairman Conrad stated that before Hurt and Proffitt can move forward with design the Board must make a decision on the style of storage tank. Chairman Conrad called for discussion.

Mr. Earl Dickerson provided the Board with more pictures of the various choices of storage tanks. Mr. Dickerson explained that he had provided a picture of a more conventional water tank similar to the one used by the Town of Appomattox which is a100,000 gallon tank which would be the size the County would need.

After discussion on the various water storage tanks, Mr. Carter made a motion to purchase the Multi-Column tank. Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing no further discussion, Chairman Conrad called for a Roll Call Vote: Mr. Cater, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #4- Library Board Vacancy and stated that Dr. Morris, Library Director had notified staff that Mrs. Morgan's term on the Library Board has expired and she is not willing to serve another term. Chairman Conrad explained that Ms. Morgan represents the Falling River District.

Chairman Conrad stated that he had spoken with Dr. Morris and he will help in any way he can to help find a replacement. Mr. Conrad stated that he will start looking for a replacement for this Board vacancy.

Chairman Conrad presented Administrative Item #5- Appomattox County School Board, and stated that Billy Perrow, Director of Business with the Appomattox County School System on behalf of the School Board is requesting that the Board consider purchasing property that joins the school property. Chairman Conrad called for discussion.

Ms. Ferguson provided the Board with a diagram of the tax map and deed.

There was discussion of tabling this item and Ms. Ferguson explained that the Board needed to take action on this and not table unless they are considering the purchase.

Mr. Tanner made a motion to not purchase the property as requested by the School Board. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he

called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #6- By-Laws for the Local Emergency Planning Committee of Appomattox County and explained that we are required by the State to organize a Local Emergency Planning Committee (LEPC) to ensure that all acts required by SARA Title III are complied with and also, the committee will, serve in an advisory capacity to Appomattox County Emergency Management personnel in planning for emergencies. Chairman Conrad called for discussion.

Ms. Ferguson stated that the County has had this committee and it has been a long standing committee, however, it is has not been functional, Ms. Ferguson stated we will need specific people on this committee.

Mr. Craft made a motion to approve the by-laws for the Local Emergency Planning Committee of Appomattox County. Mr. Carter seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Consent Agenda.

CONSENT AGENDA:

Approval of Bills

Approval of Minutes

April 13, 2009- Special Called Meeting
April 20, 2009 – Public Hearing Solid Waste Ordinance
April 20, 2009 – Regular Scheduled Meeting
April 21, 2009 – Special Called Meeting
May 4, 2009 – Regular Scheduled Meeting
May 11, 2009 – Special Called Meeting
May 11, 2009 – Public Hearing on FY2010 Budget
May 18, 2009 – Public Hearing Proposed Secondary Six Year Plan for FY2009-2015
May 18, 2009 – Regular Scheduled Meeting

SUPPLEMENTAL APPROPRIATIONS:

Animal Control

Supplement by consent and appropriate $20.00 to 3501-5402 Food in the Animal Control budget for donations received.

Sheriff's Department: (enclosure p.80-93)

Please supplement by consent and appropriate the following:

3102-1002 Overtime	$986.34
3102-2001 FICA	30.27
3102-5408 Vehicle Power Equipment Supplies	14.00
3106-5401 Dare Program	100.00
3301-5402 Food	57.31

LINE ITEM TRANSFER:

Animal Control

Transfer by consent the following: $6,034.00 from1101-5804 Operating Reserve to 3501-3002 Professional services in the Animal Control budget to pay Dr. Burger's final bill for housing dogs that were seized during the kennel inspection.

Mr. Craft made a motion to approve the Consent Agenda as submitted. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Information Items and called for discussion.

Chairman Conrad stated that Item #19 Closed Session would not be required at tonight's meeting.

Chairman Conrad called for Supervisor Concerns.

Mr. Tanner stated that he would like to thank the County Employees and the Board for the calls, cards and prayers during his back surgery and he was glad to be at the meeting tonight.

Chairman Conrad reminded the Board of upcoming meetings and then called for other discussion that the Board may have, hearing none, Mr. Craft made a motion to adjourn the meeting at 7:00 p.m. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Thomas H. Conrad, Chairman

On Monday, July 20, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox Virginia.

PRESENT:	Samuel E. Carter – Appomattox Courthouse District William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District
ALSO PRESENT:	Aileen T. Ferguson - County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. Mr. Carter delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Ms. Ferguson added to the agenda- Administrative Item #2A- Resolution on 100th Birthday of Bennie C. Massey; Administrative Item#2B- Broadband Authority; Administrative Item #2C- Economic Development Director Interviews.

Chairman Conrad called for public comment.

Mr. Phillip L. Nelson came forward and stated his address as Vineyard Drive in the Stonewall District. Mr. Nelson stated that he appreciates the convenience centers and expressed a "thank you" for this. However, when taking his bag of household trash he received a tour and was told and what was expected when coming to the convenience sites. Mr. Nelson stated that he was excited and went back to the office and told his secretary to label bins for recycling and he was glad to see that the County was now going to recycle. Mr. Nelson stated that later that day he took a bag of trash to the convenience center from his small business and was told that he could not use the dumpster site for his business. Mr. Nelson stated that he understands why this is being done and he was not aware that he should not have been using the dumpster site over the previous years. Mr. Nelson stated that he understands the decision, however, the reason he was speaking tonight was to request that the Board consider allowing small businesses like his to use the convenience centers. Mr. Nelson thanked the Board for allowing him to come and make his request.

Chairman Conrad thanked Mr. Nelson and called for anyone else that wished to come and appear before the Board.

With no further comments, Chairman Conrad called on Mr. Rick Butler with Virginia Department of Forestry who appeared before the Board to provide any update on forestry activities in Appomattox.

Mr. Butler came forward and provided the Board with an update which he provides the Board each year. Mr. Butler stated that with better record keeping he had come across some information that he thought the Board may be interested in. The new land use tax reduction to farmers had a dramatic impact upon reforestation this year as 300 acres of harvested timber was converted to agriculture and approximately 1000 acres has been lost due to development in the past year. Mr. Butler stated that he would now answer any questions that the Board may have.

Hearing no comments, Chairman Conrad thanked Mr. Butler and called on Ms. Alice Rockefeller, Landfill Supervisor to appear before the Board to provide an update on the convenience centers and to answer any questions that the Board may have. Ms. Rockefeller is requesting the Board amend the waste separation requirements to enhance recycling efforts within the County.

Ms. Rockefeller came forward and stated that she wanted to say thank you to all citizens for their cooperation during the change and also to thank the citizens that were not so cooperative, because that also helped her to know what was working and what was not and what needed to be worked on.

Ms. Rockefeller stated that she also wanted to clear up some confusion on things that seem to keep coming up.

Ms. Rockefeller stated that the sole purpose in having site attendants is to help the citizen. Ms. Rockefeller stated that citizens have never been required to open their trash and will never be asked to open their bag of trash and sort. The attendant is instructed on how to educate the citizen on recycling; Ms Rockefeller stated County residents can use any of the convenience centers around the county and the time the site attendant is taking with you to give you a tour and asking for identification is only temporary to familiarize you with what is expected and to make sure you are a county resident, Ms. Rockefeller stated that they had some problems with being able to determine if you are a county resident by looking at your address. Ms. Rockefeller stated that she is working on this and it may be resolved possibly by looking at your car registration and she is also working with 911 on this issue. There have also been some issues of citizens out of town taking a family members trash to the sites because they are unable. This is also being addressed and for now if you know of anyone with this issue they can call the landfill and we will make arrangements to make sure the attendant is aware they will be coming to the site with the county resident's trash. Ms. Rockefeller thanked all the site attendants and stated that she feels they are doing a super job and feels they learn something new every day. Ms. Rockefeller stated that we are constantly working to improve the process each day. Ms. Rockefeller stated that overall she feels the convenience centers are doing really well and we have accomplished a lot in this short time. Ms. Rockefeller stated that the Promise Land Site is still with no electricity but hopes to have this resolved by the end of the week. Ms. Rockefeller stated that after doing some research she found that Appomattox County's weekly average of tonnage, which we haul from the sites to the region, is 140 tons five days a week and the preliminary figures for the past eight days is we hauled 60 tons to the region so there is a decrease. Ms. Rockefeller next called for any questions that the Board members may have.

Mr. Carter asked Ms. Rockefeller to explain the amendment to the waste separation requirements to enhance recycling efforts in the county. Ms. Rockefeller explained the amendment and then called for questions.

Mr. Carter questioned if tires are accepted at convenience centers and Ms. Rockefeller stated that the sites would not accept tires and they do not accept them at the landfill, however, she is working on a program where you can bring them to the landfill and they will take to Emanuel Tire. Ms. Rockefeller stated that she would be bringing this to the Board at the next meeting.

Mr. Carter questioned if we accept dead animals at the landfill. Ms. Rockefeller stated that we have not accepted dead animals since the last cell was closed.

Mr. Tanner stated that the sites look really nice.

Mr. Conrad stated that this is a learning process for all of us and the benefits are immediate.

Mr. Carter stated that the chatter around the county for the past two weeks is one subject and that this the convenience centers. He feels the new system has placed a burden on some of our County residents such as churches, private schools, not being able to dispose of their trash; hours of operation; dual residents; closing Wednesdays; weekend hours need to be extended and citizens are irate at mandatory sorting of trash when their perception is that County has staff to do this.

Ms. Rockefeller stated staff at the convenience sites are trained to sort recycle items if all items are recyclable and it is part of their responsibility, but they are asking the citizens to help with this because there are times when they will be busy with lots of citizens and not able to sort.

Mr. Craft stated that this is a change, but he feels we will all adjust to this.

Ms. Rockefeller stated that the hours of the sites are based on the hours of our surrounding counties which we will study to see what times work best for our operation.

Mr. Craft stated that education is the best thing we can do for our citizens.

Mr. Tanner stated that he thinks the convenience centers are working and asked that we all look around and learn while we are new at this, and maybe we need to look at the churches and we also cannot discriminate against our small verses large business.

Ms. Rockefeller stated that recycle materials are accepted by any size business at the landfill seven days a week.

Ms. T.J. Knight came forward and gave a presentation to the Board on recycling. Ms. Knight went over all categories and gave a description of what the category consist of and what items will be accepted in each of these categories as recycle items. Ms. Knight answered questions from the Board.

Ms. Rockefeller stated that Ms. Knight would be doing this same presentation for anyone who would like her to come make a presentation to groups that may want to discuss this issue.

Mr. Craft made a motion to amend the Solid Waste Ordinance to enhance recycling efforts in the County. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #1 – Appomattox County Electoral Board and explained that Mr. Conrad, Mr. Craft and Ms. Ferguson had met with the members of the Electoral Board and visited the Vera Voting Precinct. Mr. Conrad explained that the members of the Electoral Board have requested that the Board approve alterations to the Vera and Stonewall Voting precincts due to these buildings being used for convenience center. The estimated cost to the County is approximately $1,700.00 for each building. After consideration, at the Vera

Convenience Center, it was determined that this would not be necessary since we agreed to construct an attendant building inside the gated areas. Stonewall is the only other site that this situation applies to.

Chairman Conrad called for discussion.

Mr. Tanner stated that he did not feel this request was unreasonable and he made a motion to approve the Electoral Board's request for alteration to the Stonewall Voting Precinct and not to exceed the estimated amount of $1,700.00. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item# 2- Town of Appomattox and explained that the Board at a previous meeting had ask that this item be place on the agenda for action at tonight's meeting. Chairman Conrad called for discussion.

Mr. Carter stated that we need to move forward and he feels this is a win for both parties. Mr. Carter then made a motion to send his waterline negotiation points as given to the Board to the Town.

Mr. Tanner stated that he was in agreement with Mr. Carter in sending the negotiation points to the Town once more.

Chairman Conrad stated that he feels some good points have been discussed and after meeting with Congressman Perriello, it was made very evident that the County is moving along with this water line and he is also in agreement in sending the negotiation points, but asked to let this be the last time that we try to ask the Town to join in.

Mr. Overstreet stated that sending these negotiation points are up to the Board's discretion, but if this is going to be the Boards stance, we may need a committee to negotiate some of these points to save time.

Ms. Ferguson stated that there is a committee in place if this discussion needs to take place in explaining the points.

It was the consensus of the Board to send the negotiation points to the Town.

Chairman Conrad next presented Additional Item #2A – Resolution on 100th Birthday of Bennie C. Massey and stated that this resolution will be recognizing Mr. Massie on the occasion of his 100th birthday.

Chairman Conrad stated that Mr. Massey was raised in the Pamplin community and retired from the postal service as a mail carrier in Pamplin for forty-nine years as well as a farmer. Chairman Conrad stated that Mr. Massey is a member of the Pamplin United Methodist Church and has been since 1932 when he was married to Naomi to who he was married for fifty-seven years.

Chairman Conrad expressed the Board's sincere congratulations to Mr. Bennie Massey on reaching his 100th year milestone on July 22, 2009.

Ms. Ferguson stated if the Board wished to include information related to Mr. Massey serving on the USDA Agricultural Stabilization and Conservation Committee for a number of years.

It was the consensus of the Board to add the information about Mr. Massey serving on the USDA Agricultural Stabilization and Conservation Committee into the provided resolution.

APPOMATTOX COUNTY BOARD OF SUPERVISORS RESOLUTION 2009-07-20

WHEREAS, Bennie C. Massey was born in Dubois, PA and moved to Appomattox County, Virginia when he was nine years old; and

WHEREAS, Mr. Massey was raised and resided in the Pamplin community until the present time; and

WHEREAS, Bennie C. Massey is retired from the postal service where he was a rural mail carrier in Pamplin for forty-nine years as well as a farmer and he continues to drive and keep an attentive eye on the farm that he leases to others; and

WHEREAS, Bennie C. Massey was elected to and served with distinction on the USDA Agricultural Stabilization and Conservation Committee for a number of years administering congressionally mandated farm programs; and

WHEREAS, being a devoted member of Pamplin United Methodist Church since he married in 1932; and

WHEREAS, His wife, Naomi and he were married for fifty-seven years when she passed away in 1989; and he has one daughter, Beth Fore who resides in Farmville with her husband; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Appomattox County Board of Supervisors express their sincere congratulations to Bennie C. Massey as he has reached his 100th year milestone on July 22, 2009; and

BE IT FURTHER RESOLVED, that the Board of Supervisors directs that a copy of this resolution be presented to Bennie C. Massey on the behalf of the Board and the Citizens of Appomattox County.

Mr. Craft made a motion to adopt the resolution recognizing Mr. Bennie C. Massey in honor of his 100th birthday. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for discussion hearing none, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Additional Item #2B- Broadband Authority and explained that as a follow up to the presentation of Brian David, Mr. John Spencer has provided some information concerning EDA discussion on the matter of Broadband Authority and also Mr. Spencer has provided information on Amherst County's initiative. Chairman Conrad stated that the Board needed to instruct staff as to the direction that they wished to take concerning a Broadband Authority.

Chairman Conrad stated that the Board may want to take this information and review, then bring back to the next board meeting.

Mr. Craft asked that if there was a deadline that this decision needed to be made due to receiving monies from the tobacco grants.

Mr. Spencer stated that the Board may want to review this information and come to him with any questions that they may have or contact Mr. Overstreet with questions.

Mr. Carter questioned if the EDA was going to continue to investigate into this. Mr. Spencer stated that the EDA would be continuing to look at this and that they would be receiving the same information that the Board has been given.

It was the consensus of the Board to review the information provided and place this item on the August 3rd Agenda.

Chairman Conrad presented Additional Item #2C – Economic Development Director Interviews and stated that fourteen applications have been received for this position and the elimination process will begin the week of July 27th. Chairman Conrad stated that a memo has been provided by Mr. Spencer on the desires of the EDA for this position.

Mr. Carter questioned the cut off dates for accepting applications for this position. Ms. Ferguson stated that when this position was advertised there was no cut off date for accepting applications. Ms. Ferguson stated that we will continue to accept applications until this position is filled.

Mr. Craft questioned if the interviews would be in closed session. Mr. Overstreet stated that the interview process would need to be in closed session.

It was the consensus of the Board to proceed with the process of hiring an Economic Development Director.

Chairman Conrad next presented the Consent Agenda and called for comments or discussion.

CONSENT AGENDA
Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:
Clerk of the Circuit Court

Supplement by consent and appropriate $2300.00 to 2106-3010 Data Processing in the Circuit Court Clerk's budget to reimburse the State for a grant that was not used.

Sheriff's Department

Supplement by consent and appropriate $180.00 to 3102-5409 Police Supplies, Guns, Ammo for Project Lifesaver Payments received.

Library

Supplement by consent and appropriate $915.28 to the following line items:

7301-5401 Office Supplies	$505.15
7301-5411 Books	$ 89.95
7301-5415 Summer Reading	$175.00
7301-5414 Pamplin	$145.18

These funds have been received by the Library through book replacement fees, donations and book sales.

Appomattox County Public Schools

Supplement by consent and appropriate $426,635.69 to the School Capital Improvement Fund. This is the balance remaining in this fund as of 6/29/09 that has been committed to the following projects: Field Renovations at ACHS, AMS Roof & Gutter Replacement, APS Porch Roof, and Other Capital Improvement Projects & Maintenance.

Supplement by consent and appropriate $670,000.00 to the Schools operating budget as discussed with Mr. Perrow and Dr. Boone at a previous meeting.

Supplement by consent and appropriate $140,000.00 to the school operating budget as committed at a previous meeting. Mr. Perrow has shown on his Explanation of Funds worksheet that there is sufficient remaining balance to cover this amount.

Mr. Carter questioned the supplemental appropriation for the Appomattox County Public Schools in the amount of $426,635.69. Ms. Ferguson stated that this is money that is already in a fund that the Board has been putting in for the past few years. Ms. Ferguson stated that this is not new money it is money that we have given them to help with capital improvements that is being carried over to a new year.

Ms. Ferguson explained to Mr. Carter what the $670,000.00 was state funds that the school is being allowed to keep this one time only, and they can set it aside in a separate checking account which was approved by the Board at a previous meeting.

Mr. Carter questioned if this money is going to be used for school operation expenses and Ms. Ferguson stated that this money will be used for the operation of the schools which was approved by legislation and this is a one time thing.

Mr. Carter stated that he was under the impression that this money was found after the departure of Dr. Boone. Ms. Ferguson explained that this was money we were expecting but did not know what the amount of it would be until June 25th when all bills were paid for year end.

Ms. Ferguson stated that if the Board is uncomfortable with this supplemental appropriation, we can ask Mr. Perrow to come and explain this further.

Mr. Carter stated that what really bothers him about this is the School Board came to the Board of Supervisors stating that if more money was not given to them during budget time that they were going to have to cut teaching positions and then here at the end of the school year we have this money left. Mr. Carter stated that the quote was made that night "that what more did the School Board have to do for the Board of Supervisors to trust them."

Ms. Ferguson asked Mr. Carter if he would like her to invite the Chairman of School Board to the next Board meeting to explain.

Mr. Conrad stated that he feels it would be a good idea to ask the School Administration to attend the next meeting as he is sure this will resurface again during next year's budget season.

Ms. Ferguson stated that she would extend an invitation to Dr. Grasty, Superintendent, Mr. Perrow, and Chairman of the School Board Wes Williams to the August 3rd Board meeting, to give further explanation of the supplemental appropriation request.

Chairman Conrad called for other discussion on the Consent Agenda. Hearing none; he called for a motion to approve the Consent Agenda.

Mr. Carter made a motion to approve all items on the Consent Agenda except for the supplemental appropriation request made by the School Board until further explanation from the School Board. Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Information Items and called for discussion.

Chairman Conrad congratulated Vicky Phelps on her certificate of completion for the VDEM-G290; Basic Public Information Officer Course.

Chairman Conrad next stated that the Board would be entering into a closed session but before doing that he called for Supervisor Concerns.

Mr. Tanner thanked everyone for telephone calls, cards and prayers for him and also for his new granddaughter.

Hearing no other supervisor concerns Chairman Conrad stated that the Board would need to enter into a closed session under Code Section 2.2-3711(A)(1) to discuss several personnel issues.

Mr. Tanner made a motion to enter into a closed session at 7:50 p.m. under Code Section 2.2-3711(A)(1) to discuss personnel issues. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Craft made a motion to return to regular session at 8:08 p.m. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a roll call vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad read the certification motion for the Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.

Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the upcoming meetings.

Appomattox County Administration Office
Monday, August 3, 2009
Regular Scheduled Meeting
6:30 p.m.

Appomattox Community Center
Monday, August 17, 2009
Regular Scheduled Meeting
6:30 p.m.

Mr. Craft made a motion to adjourn the meeting at 8:10 p.m. Mr. Carter seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 8:10 p.m.

Thomas H. Conrad, Chairman

On Monday, August 3, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT: William H. Craft – Appomattox River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District
Samuel E. Carter – Appomattox Courthouse District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant
Johnnie Roark – Planner

ABSENT: Thomas H. Conrad – Falling River District

Vice -Chairman Tanner called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. Mr. Tanner delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Vice-Chairman Tanner called for the setting of the agenda. Item#15B was added to the Consent Agenda -Designated Fund Balances.

Vice-Chairman Tanner called for Public Comment and explained the procedure for addressing the Board during this time.

Having no public comment, Vice-Chairman Tanner called on Ms. Alice Rockefeller to appear before the Board to discuss the convenience center hours and concerns that the Board had mentioned at a previous meeting.

Ms. Rockefeller stated that she had checked into some concerns that had been brought to her attention and she was here to report her findings.

Ms. Rockefeller first addressed churches being able to use the convenience centers and stated that she had contacted her neighboring counties and found that churches are treated as residential customers instead of businesses. Ms. Rockefeller stated that they are required to separate their trash as all residents, however, Ms. Rockefeller stated that some neighboring counties are also treating non- profit organizations as residential customers. Ms. Rockefeller stated that neighboring counties are letting small businesses use convenience sites with a limit of one pickup truck a day. Ms. Rockefeller stated that she would like the Board to keep in mind that a small business would have a small amount of trash and she does not feel it would affect the convenience sites, but it would cost the county in paying the regional landfill for this trash and to haul to the regional landfill.

Mr. Tanner asked if they would recycle, would that offset the cost of hauling and paying for the trash. Ms. Rockefeller stated that they can recycle and bring to the landfill for free. Ms. Rockefeller stated that she would like the Board to consider this when they make a decision.

Ms. Rockefeller stated that if the Board decided to allow small businesses to use the convenience sites, she would need some criteria to follow when allowing this.

Ms. Rockefeller discussed the waste separation and how we differ from surrounding counties which is saving the County money.

Ms. Rockefeller discussed the recycling for the Town and stated that the County has several recycling bins within the Town limits for their use.

Ms. Rockefeller next discussed the convenience center hours and stated that the hours that the Board decided on for the convenience centers are saving the county money.

Mr. Craft stated that he is in favor of leaving the hours as they were previously approved by the Board and see how things go.

Ms. Rockefeller stated that this is an adjustment for everyone.

Mr. Carter stated that the purpose of the last Board meeting statement was this could be a problem during winter hours and he would like the Board to revisit the Convenience Center site hours again.

Ms. Rockefeller stated that it would take additional staff hours if we were to open each site two more hours.

Mr. Carter stated that he did not want to micro manage what Ms. Rockefeller is doing but this is the chatter he is hearing and he feels it is crucial to leave the sites open longer.

Ms. Rockefeller next presented the tire ordinance and stated she would like the Board to act on this tonight by amending the Solid Waste Ordinance.

Ms. Ferguson explained that the Board would need to schedule a public hearing to amend the Solid Waste Ordinance.

Ms. Rockefeller called for questions that the Board may have on the information that was presented tonight.

Ms. Ferguson explained that all the information that Ms. Rockefeller has just given the Board are options and the Board would need to make a decision on what changes they want to see made.

Ms. Rockefeller explained that a non-resident of Appomattox County is requesting to use the Appomattox County facilities; she explained that we would have to change the ordinance to allow this and we would have to allow all bordering residents to do this if we allow one.

It was the consensus of the Board to not allow non-residents of the County to use the Appomattox County convenience Center facilities.

There was discussion from the Board on the changes that they felt were needed.

Ms. Ferguson cautioned the Board on allowing all non-profit organizations to use the convenience sites.

Ms. Rockefeller stated that churches should be treated the same as a citizen.

Mr. Carter made a motion to allow religious assemblies same opportunities in regards to the garbage disposal as citizens, and asked Ms. Ferguson to come back to the Board with alternatives with a more defined definition of small business and nonprofit owners. Mr. Craft seconded Mr. Carter's motion. Mr. Tanner called for discussion. Hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye; Mr. Conrad, Absent.

Mr. Craft stated that he is in favor of tabling changing to the convenience site hours of operation until a later date.

Mr. Tanner asked Ms. Rockefeller to look at what can be done to help the small business owners in being able to use the convenience sites.

Ms. Rockefeller explained the down side of allowing small businesses to use the convenience sites. She also stated that she would need some criteria in writing so the attendants will know exactly what they should be accepting.

Mr. Carter stated that he would like to put a time on re-visiting the convenience site operations hour's issue.

Ms. Ferguson stated that the first meeting in October staff should be coming back with more information and the Board can revisit this issue.

The Board thanked Ms. Rockefeller for a job well done .

Vice-Chairman Tanner explained that per the Board's request Dr. Grasty, William Perrow, Robert Mitchell and Wes Williams are appearing before the Board to answer questions that the Board may have related to a supplemental appropriation request from the July 20th Board meeting.

Vice-Chairman Tanner welcomed Dr. Grasty, William Perrow, Robert Mitchell and Wes Williams.

Mr. Tanner called for questions from the Board.

Mr. Carter stated that he did not have a problem with the supplemental appropriation in the amount of $426,635.69 to the School Capital Improvement Fund. Mr. Carter stated that however he does have a problem with the supplemental appropriation in the amount of $670,000.00, however, he is happy with having this money left over, but he would like an explanation as to where it came from.

Mr. Carter stated that he questions this due to the statement made earlier by Mr. Williams as to what the School Board needed to do so that the Board of Supervisors would trust what they have presented to the Board for a budget and then $670,000.00 shows up that the Board did not know anything about.

Mr. Williams stated that Mr. Perrow would explain this to the Board, but first he would like to say that he did not know how complex the School Board budget was until 2008 and he has found that it is extremely complex procedure.

Mr. Perrow began by stating that back in October 2008 the economy started to crash and state guidance started saying that they may not be able to fulfill the funding that had been budgeted. Mr. Perrow explained that at that time he and Dr. Boone took action so that they did not run out of money before the end of the school year. Mr. Perrow explained that the budget was based on a large ADM and it did not materialize. In December it looked like they were going to be 100-120 students shy of the ADM, so the decision was made to not spend any more money since we did not know what they were going to face. Mr. Perrow stated that they cut back on new positions that were open, did not buy buses that were budgeted and also the decline in the fuel price helped them greatly and all of these changes led to funds being saved. Mr. Perrow stated that later in the year the ADM did better than he and Dr. Boone had anticipated which still did not reach the stated level however, it was not as bad as previously thought.

Mr. Perrow stated that the State started coming up with monies that they had previously been told they would not be getting. The State then allowed unspent money to be put back into this year's budget as a onetime deal.

Mr. Perrow stated that this fund has been building over a period of twelve months.

Mr. Carter stated that when the School Board met with the Board of Supervisors in May, the Board understood there was a short fall of funds and teachers were looking at losing their jobs.

Mr. Perrow stated that June is when they found out how much money they would have left.

Dr. Grasty stated that the School Board had also cut back on field trips and approving travel reimbursement.

Mr. Carter stated that the $670,000.00 is a blessing.

Mr. Tanner questioned what the ADM projection is for this year.

Mr. Perrow stated that the State projection is 2109 which is opposite of what they did last year.

Mr. Perrow stated that there are a lot of factors which affect the ADM.

Dr. Grasty stated that home schooling is becoming more and more prevalent.

Mr. Tanner thanked Dr. Grasty, Mr. Perrow, Mr. Mitchell and Mr. Williams for being here and answering the Boards questions.

Mr. Craft made a motion to hold a public hearing on amending the Solid Waste Ordinance due to the tire ordinance for September 8, 2009. Mr. Carter seconded Mr. Craft's motion, hearing no discussion, Mr. Tanner called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Vice-Chairman Tanner presented the supplemental appropriation request of the School Board requesting a supplemental appropriation in the amount of $426,635.69 to the School Capital Improvement Fund and $670,000.00 to the School Operating budget and also $140,000.00 to the School Operating Budget.

Mr. Carter made a motion to approve the supplemental appropriation request of $426,635.69 to the School Capital Improvement Fund. Mr. Craft seconded Mr. Carter's motion. Vice-Chairman Tanner called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Craft made a motion to approve the supplemental appropriation of $670,000.00 to the School Operating budget as requested. Mr. Carter seconded Mr. Craft's motion. Vice-Chairman Tanner called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Craft made a motion to approve the supplemental appropriation of $140,000.00 to the School Operating Budget as requested. Mr. Carter seconded Mr. Craft's motion. Vice-Chairman called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Vice-Chairman Tanner next presented Administrative Item #1 – Joint Meeting with Appomattox Town Council and explained that Ms. Ferguson had been contacted by Roxanne Paulette, Clerk for the Town of Appomattox requesting a joint meeting with the Town Council to be held on Tuesday, August 25th at 7:00 p.m. in the Town Office.

Mr. Craft stated that he would like to have a facilitator that is impartial to the waterline to be present.

Ms. Ferguson stated that she did not understand that this meeting was to discuss the waterline. Ms. Ferguson stated that she thinks this is joint meeting to discuss other items of concern or interest that the Board and Town Council would like to discuss.

Mr. Carter made motion to hold a joint meeting with the Town Council on Tuesday, August 25th at 7:00 p.m. at the Town Office. Mr. Craft seconded Mr. Carter's motion. Vice-Chairman Tanner called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Vice-Chairman Tanner presented Administrative Item #2 – Draft Zoning Ordinance and explained that Mr. Roark had provided the Board with a draft zoning ordinance at a previous meeting and is now asking if the Board had any questions concerning the information that had been provided and also to see if the Board is ready to move forward with scheduling a public hearing on the proposed ordinance. Vice-Chairman Tanner stated that if there are no concerns staff is recommending scheduling a public hearing on the proposed amendments to the zoning ordinance for August 17, 2009 at 6:15 p.m. at the Community Center.

Mr. Carter stated that he is not ready for this.

Mr. Roark stated that he is presenting two different items at the August 17th meeting which is three amendments that had been presented at an earlier meeting. Mr. Roark asked about the Boards feelings about a public hearing for the new zoning ordinance; and it was the consensus of the Board to wait and give the Board more time to review this ordinance before scheduling a public hearing.

Mr. Craft made a motion to schedule a public hearing on proposed amendments to the zoning ordinance for August 17th at 6:15 p.m. at the Community Center. Mr. Carter seconded Mr. Craft's motion. Hearing no discussion, Vice-Chairman Tanner called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Vice-Chairman Tanner presented Administrative Item #3 – Library Board Vacancy and explained that Dr. Morris, Library Director had notified Ms. Ferguson that Mrs. Morgan's term on the Library Board has expired and she is not willing to serve another term. Mrs. Morgan represents the Falling River District.

Ms. Ferguson stated that Mr. Conrad does not have anyone in mind for this position and if anyone knows of someone who would be interested, please have them contact Mr. Conrad and also an application can be obtained at the County Administrator's office.

Vice-Chairman Tanner presented Administrative Item #4 – VACo Annual Meeting and explained the Annual Virginia Association of Counties meeting is scheduled for November 6-10 and explained that if any members of the Board are interested in attending to please let Ms. Ferguson know so that registration and room reservations can be handled.

Vice-Chairman Tanner presented Administrative Item #5 – Broadband Authority and stated that the EDA at their July 27th meeting, were in agreement to recommend to the Board of Supervisors that the Board apply for Tobacco Commission Funding to position the County to set up a Broadband Authority. Mr. Tanner explained that if the application is successful, the Board is recommended to take the initial steps to create the legal entity of the Authority under Virginia law. Mr. Tanner explained that the EDA is requesting that the Board of Supervisors authorize staff to submit an application to the Tobacco Commission's Southside Economic Development

Committee by the deadline of Monday, August 24 2009. Mr. Tanner explained that based on the estimated project cost of $60,000.00 it is recommended that the Board request $55,000.00 of its Southside ED allocation against a matching contribution of $5,000.00. Vice-Chairman Tanner called for discussion from the Board.

Mr. Carter stated that it looks like the most the County would be involved in would be $5,000.00 and Ms. Ferguson stated that this was correct.

Mr. Craft made a motion to apply for the Tobacco Commission funding by authorizing staff to proceed with application to Southside Economic Development Committee. Mr. Carter seconded Mr. Craft's motion.

Vice-Chairman Tanner called for discussion. Hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Vice-Chairman Tanner presented Administrative Item #6 – Proclamation for National Payroll Week and explained that Mr. Timothy Massenburg with the Richmond Chapter of the American Payroll Association is requesting the Board to approve the proclamation declaring September 7-11, 2009, as National Payroll Week.

It was the consensus of the Board to take no action.

Vice-Chairman Tanner presented Administrative Item#7 – Resolution Opposing Storm Water Management Regulations and explained Mr. Jay E. Tibbs, Deputy County Administrator for the County of Frederick, Virginia is requesting the Board to adopt the resolution opposing Storm Water Management Regulations 4VAC50-60, Parts I, II, III, and XIII. Mr. Tanner explained that the Frederick County Board of Supervisors view these measures as another unfunded mandate thrust upon already fiscally stressed localities and also the new standards will severely limit development with the urban development area thereby promoting urban sprawl as developers seek out larger lots where the proposed standards can be more easily achieved. Vice-Chairman Tanner called for discussion.

RESOLUTION

Opposing Proposed Stormwater Management Regulations 4VAC40-60, Parts I, II, III and Part XIII

WHEREAS, the Appomattox County Board of Supervisors recognizes its responsibility to the state's watershed and desires to protect its lands and waterways from the degradation of urban runoff; and

WHEREAS, the new storm water standards constitute an unfunded mandate, which places a financial burden on already fiscally stressed localities. Through the costs of developing a new storm water program, as well as the required long-term maintenance and inspection of Best Management Practices, the county will incur new costs, which will not offset by the proposed permit fees in Part XIII; and

WHEREAS, the proposed phosphorus standard of .28 pounds per acre per year for new development is unduly restrictive and will greatly affect design and development of new sites; and

WHEREAS, the County request additional evaluation of the full impact of this standard prior to implementation; and

WHEREAS, implementation of the new standard will severely limit development in the urban areas; and

WHEREAS, the proposed regulation will further promote urban sprawl as land developers seek out larger lots. The proposed standard will be more easily achieved on less developed properties;

NOW, THEREFORE, BE IT RESOLVED, that Appomattox County strongly recommends that the regulation, as proposed, not be adopted, rather the standards be more thoroughly studied and realistic standards adopted; and

BE IT FURTHER RESOLVED, that the County request that the Commonwealth of Virginia provide funding assistance to all localities for the development of comprehensive storm water programs; and

BE IT FURTHER RESOLVED, that a copy of this resolution opposing this unfunded mandate be sent to each county located within the Commonwealth of Virginia, the Virginia Association of Counties, Governor Kaine, our state and federal representatives, the Director of the Virginia Department of Conservation and Recreation, and the Secretary of the Environmental Protection Agency.

Mr. Carter made a motion to support the Resolution Opposing Storm Water Management Regulations as presented. Mr. Craft seconded Mr. Carter's motion. Vice-Chairman Tanner called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Vice-Chairman Tanner presented Administrative Item#8- Health Insurance Renewal and explained that Ms. Ferguson will be providing information on health insurance renewal.

Ms. Ferguson stated that the School Board has conducted a study of the following companies for health insurance renewal Anthem, Atena, Cigna, United Healthcare, Piedmont, Southern Health. The following companies was interviewed Anthem, Piedmont, Southern Health by members of the School Administration , Ms. Lucado and Ms. Ferguson from the County Administrators staff. The School's recommendation is to renew with Anthem with the Key Care and Blue Care Programs. The reason for this recommendation is Anthem network is nationwide and for the retiree benefits. Anthem out of pocket deductible is in favor of those with lots of health issues, the lifetime claim limit is limitless, renewal cost is up 19.4 percent which is 3.6 percent greater than Piedmont and 2.9 percent greater than Southern Health, however, Anthem renewal will be

much less disturbing to employees then changing to a new carrier plan and network. Next year the health insurance industry could have a complete new face and require a total change. Ms. Ferguson gave the difference in the renewal premiums.

Key Care will be going from $293.55 to 365.19 per month and the school intends to keep paying the employees full premium and in doing this for the County employees Ms. Ferguson stated that she would need a $75,200 increase in the budget to take care of this premium increase.

Ms. Ferguson answered questions from the Board.

Mr. Carter stated that it is up to the employer to do all we can to retain our current employees and keep our employees we have to remain competitive.

Vice-Chairman Tanner called for further discussion, hearing none, he presented Administrative Item #9- Sole Source Procurement of Winnbo Electric who has served as the electrical subcontractor for CVCC Phase 2 under J.E. Jamerson. Mr. Tanner stated that there is additional electrical work that needs to be done at the Carve Price Complex and the work will be outside of the now-closed Jamerson contract and the work to be done involves three main areas (1) sorting through the electrical panels to get enough power back into the kitchen and cafeteria areas to power lights, receptacles and heating fans/circulators ($3,000); (2) wiring three water heaters and adding receptacles once lab furniture is installed ($900); and labeling all breakers in basement panel box ($250). Mr. Tanner explained since Winnbo did the initial work, staff feels that Winnbo is the sole source practicably available to complete the new work needed.

Vice-Chairman Tanner called for discussion.

Mr. Craft made a motion to approve the sole source procurement of Winnbo Electric to perform needed electrical work at the Carver Price Complex at a total cost of $4,150.00. Mr. Moore seconded Mr. Craft's motion. Vice-Chairman Tanner called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Vice-Chairman Tanner presented Administrative Item #10 – Carver -Price Legacy Museum Handicapped Ramp and explained that the Carver Price Alumni have approached staff concerning the construction of a handicap ram into their leased portion of the Carver-Price Complex; staff drew up a written scope of work and received four bids with low bid being from Norman Ferguson at $3,568.00. Mr. Tanner explained that there is $3,468.00 remaining out the $10,000.00 in grant funds provided by the Virginia Department of Historic Resources for projects at the original Carver School building now occupied by the Legacy Museum. Mr. Tanner explained that if the low bid is accepted and the work authorized, there will be a $100.00 shortfall that either the County or the Alumni will have to make up. Vice-Chairman Tanner stated that staff is recommending waiting and seeing if the Alumni can contribute the $100.00 shortfall, if so it is further recommended that the Board contract with the low bidder for construction of the handicap access ramp at the cost of $3,468.00. If the Alumni cannot make the $100.00 contribution, then it is recommended that the Board consider making up the $100.00 shortfall and accepting the low bid. Vice-Chairman Tanner called for discussion.

Mr. Carter stated that he feels we need to move forward with this project.

Mr. Carter made a motion to agree to pay the $100 .00 shortfall if the Alumni cannot contribute and also to move forward with construction with the low bidder and not exceed the $3,468.00. Mr. Craft seconded Mr. Carter's motion. Vice-Chairman Tanner called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Vice-Chairman Tanner presented the Consent Agenda and called for discussion.

CONSENT AGENDA:
Approval of Bills
Approval of Minutes
Regular Scheduled Meeting - June 1, 2009
SUPPLEMENTAL APPROPRIATIONS:
Sheriff's Department
Supplement by consent and appropriate the following:

3102-1002 Overtime	$1070.93
3102-2001 FICA	88.72
3102-3013 OSHA Mandates	30.00
3102-5503 Travel	225.00

Building Official
Supplement by consent and appropriate $117.00 to 3401-5411 Code Books in the Building Officials budget for reimbursement received.

FUND TRANSFER:
Sports Complex Fund
Transfer by consent $2998.18 from the Sports Complex Fund to the General Fund to cover the attached bill.

Designated Fund Balances

Comprehensive Services	$ 27,706.31
Law Library	31,638.11
Ballpark (Town Ballpark)	33.69
Capital Improvement	3,249,755.14
Courthouse Maintenance	6,523.88
Cost of Keep Jail	30,901.19
Wireless Grant	76,279.74
Courthouse Security	64,943.08

Mr. Craft made a motion to approve the Consent Agenda as submitted. Mr. Moore seconded Mr. Craft's motion. Vice-Chairman Tanner called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Vice-Chairman Tanner presented the informational items and called for discussion.

Mr. Carter questioned where the EDA minutes are that he has not seen any for months.

Ms. Ferguson stated that Mr. Spencer is behind on his minutes, but he is working on them and they will be provided as soon as they are ready.

Vice-Chairman Tanner called for Supervisor Concerns.

Mr. Craft stated that he did not have any concerns, but he had delivered the Proclamation to Mr. Bennie Massey and he expressed his thanks to the Board.

Mr. Carter stated that he wanted to express his thanks to the staff and Board for the flowers and cards he received during the loss of his step-father.

Vice-Chairman Tanner expressed his thanks for the prayers for his granddaughter.

Vice-Chairman Tanner reminded the Board of upcoming meetings.

Monday, August 17, 2009 @ 6:15 P.M.
Public Hearing on the Proposed Amendments to the Zoning Ordinance
6:30 P.M.
Regular Scheduled Meeting
Appomattox Community Center

Tuesday, August 25, 2009 @ 7:00 P.M.
Special Joint Meeting with Appomattox Town Council
Appomattox Town Office

Tuesday, September 8, 2009 @ 6:30 P.M.
Regular Scheduled Meeting
County Administration Building Conference room

Mr. Carter made a motion to adjourn the meeting at 7:45 p.m. Mr. Moore seconded Mr. Carter' s motion, hearing no discussion, Vice-Chairman Tanner called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:45 p.m.

G W Tanner

Gary W. Tanner, Vice-Chairman

On Tuesday, August 17, 2009 at 6:15 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:	**Board of Supervisors** William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant Johnnie Roark – Planner
Absent:	Russell H. Moore – Piney Mountain District

Chairman Conrad called the public hearing to order at 6:15 p.m. and explained that the purpose of this public hearing would be to receive public comment on the proposed changes to the Subdivision and Zoning Ordinances.

Chairman Conrad called on Mr. Roark to come forward and explain the proposed changes to the subdivision ordinance.

Mr. Roark came forward and explained that the amendments to the subdivision ordinance were originally brought to the Board several months ago and the purpose of these changes were to clarify what we are already doing, but in the ordinance you had to go to several different places to find some of the rules, so we are trying to clarify the rules. Mr. Roark explained that the planning commission had gone back and reviewed the agricultural subdivisions which are 20 acre plus tracts and the planning commission voted to omit this. Mr. Roark stated that this would affectively do if passed would mean that all lots when subdivided, no matter the size, would have to be perked.

Chairman Conrad stated that basically the planning commission wants to see all land perked no matter what it is zoned. Mr. Roark explained that this would have to be on all subdivided property.

Mr. Roark also explained the addition of Section 5.24 which is addressing the public utility lots which are a companion amendment to the zoning ordinance which adds the same language in Section 170-77 when creating a public utility lot and exempting them from lot size and setbacks.

Mr. Roark stated that is the explanation of the proposed amendments.

Mr. Conrad called for questions and comments from the public.

After discussion on the purpose of agriculture subdivision and having Mr. Roark explain that the planning commission is hoping this section will protect the buyer, Chairman Conrad, hearing no public comment closed the public hearing at 6:23 p.m.

Thomas H. Conrad, Chairman

On Monday, August 17, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox Virginia.

PRESENT:	Samuel E. Carter – Appomattox Courthouse District William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Gary W. Tanner – Wreck Island District
ALSO PRESENT:	Aileen T. Ferguson - County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant
Absent:	Russell H. Moore – Piney Mountain District

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. and delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the Agenda, hearing no additional items, he then called for public comment.

Hearing no public comment, Chairman Conrad called on Ms. Margaret Bryant with the Consortium on Aging Public Awareness Committee and explained that Ms. Bryant would be giving the Board a brief introduction on the Summitt that is going to be held by the Beard Center of Aging of Lynchburg College with the purpose of pro-actively preparing the aging population. Chairman Conrad stated that Ms. Bryant will also discuss the 2009 Consortium on Aging and the Beach Center on Aging Vision for Region 2000.

Ms. Yvonne Behrens came forward and stated that she is appearing instead of Ms. Bryant and explained that she is a member of the Region 2000 Consortium on Aging and the consortium is compromised of 50 agencies and organizations in Region 2000 who are working together to promote a proactive rather than a reactive response to the anticipated increase in older adults in

our region and throughout the entire United States. Ms. Behrens stated that on January 1, 2006, the first of America's nearly 77 million baby boomers turned sixty. Ms. Behrens stated that by year 2030, Americans age 55 and older will number 107.6 million or 31 percent of the population, those 65 and older will account for 20 percent of the total population and will exceed the number of people ages 19 years and younger.

Ms. Behrens stated that this population shift will impact every aspect of our lives. She stated that businesses, local governments, retirement systems and health care will be affected. Ms. Behrens stated that we will see an aging workforce and an increased need for resources for older adults and their caregivers.

Ms. Behrens stated that because of this a legislative summit is being planned on aging for Region 2000 with a date to be determined which they are hoping to be November 20th, 2009. Being invited are experts all over the state to join and share their knowledge and strategies for addressing this population shift head on. Ms. Behrens stated that the Board is invited to attend this summit and once the date has been confirmed an invitation will be sent.

Ms. Behrens also offered their assistance as this population shift is being experienced in this area and are willing to serve on advisory committees and provide statistical information related to aging. Ms. Behrens stated that they would also be able to provide how other localities are handling the population shift. Ms. Behrens stated that please do not hesitate to give them a call for assistance.

Ms. Behrens stated that November 20 is the target date for the legislative summit on Aging and Senator Jim Webb will be present at the summit.

Ms. Behrens called for questions or comments from the Board.

Chairman Conrad thanked Ms. Behrens for her comments.

Chairman Conrad presented Administrative Item #1and #2 – Adoption of Proposed Amendments to Subdivision and Zoning Ordinance and stated that the Board had just held a public hearing on proposed amendments to the Subdivision Ordinance and now need to take action on these amendments.

Chairman Conrad called for discussion.

Chairman Conrad gave a brief explanation of the amendments that were heard at the public hearing.

Mr. Craft stated that he was in agreement with the amendments as presented.

Mr. Tanner made a motion to approve the proposed amendments as presented to the Subdivision Ordinance with the omission of item C. Mr. Carter seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Mr. Carter made a motion to adopt the proposed amendment to the zoning ordinance as presented. Mr. Tanner seconded Mr. Carter's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #3 – Economic Development Director Search and stated that the Board has had time to individually review the applications for this position and it is being recommended that that the Board now set a schedule to narrow the candidate field and conduct interviews. Chairman Conrad called for discussion.

Mr. Carter stated that now that the applications have been received it is time to move forward and start this process.

Mr. Conrad stated that he is sure that everyone on the Board has reviewed these applications and now we need to set a date to hold a closed session to discuss applications.

Mr. Tanner made a motion to set August 24th @ 6:00 p.m. at the County Administration Building to review applications. Mr. Carter seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #4 – Regional Rural Caucus Meeting and explained that the Virginia Rural Center is hosting a series of regional rural caucus meetings for state and local officials. Chairman Conrad stated that the West Central Regional Caucus is scheduled for August 25th at the Altavista Train Station from noon – 1:30 p.m. with several of our local General Assembly members confirming their attendance at this meeting. Chairman Conrad stated that if you are interested in attending this please let the County Administrator know as soon as possible so that she can RSVP.

Chairman Conrad presented Administrative Item #5 – Carver -Price Education Center Phase III Proposal and explained that HDH Associates has given us a proposal for renovating the remainder of the rooms in the 3rd grade wing of the Carver-Price Education Center with the project cost including A/E, being estimated at $200,000.00. Chairman Conrad stated that staff is recommending consideration of this proposal. Chairman Conrad called for discussion.

Mr. Carter stated that he needed an explanation of this request.

Ms. Ferguson gave an explanation of what this renovation would consist of, which would include a Board room, bathrooms, small business room for Disability Services Board.

Mr. Craft made a motion to accept the proposal as presented. Mr. Carter seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #6 – Discussion on Route 460 Waterline and explained that a response had been received from the Appomattox Town Council concerning the

waterline project. Chairman Conrad stated that the Town is requesting a meeting with the Board prior to September 15, 2009. Chairman Conrad stated that the Board had previously agreed to meet with the Town on August 25, 2009 for general purposes; staff is recommending discussing the Route 460 waterline project as well as the request of the Town for a meeting. Chairman Conrad called for discussion.

Ms. Ferguson stated that if the Board is not prepared to discuss waterline on August 25th the Town Council does not want to meet as they have no other agenda items to discuss. Ms. Ferguson stated that the Board may need to schedule another date prior to September 15, 2009.

Mr. Craft stated that this has been going on a long time and when we started out at 50/50 and it was a no deal; 75/25 and still a no deal; 80/20 and no deal; we build it and you can manage as we own it, no deal; and now we have come up with another negotiation and they still do not seem interested in signing up and being a part of this project.

Mr. Carter stated that this has been disappointing over the last three years and the future of Appomattox County rest with this and he would like to still sit down with the Town and talk this over.

Mr. Tanner stated that he agreed with both Mr. Craft and Mr. Carter, and he is willing to sit with the Town one more time to see if they are willing to cooperate with us and he does not feel we need to change our stance, we may just need to meet and clarify some items.

Mr. Conrad stated that early in the year we decided we were going to go forward with this project and we started moving forward and once again we tried to work with the Town and never seem to please them and in doing this we have slowed down the process and there are a lot of people out here wanting to know what is wrong with us, we have made a decision and we need to make this a realty. Chairman Conrad stated that in their letter they are willing to work with us if we agree to a small boundary adjustment and in doing this we will be giving up some of our customer base and putting a situation out here where people will become Town residents and there are people out here who do not want this. Chairman Conrad stated that we can hardly indicate to the town that we want this concession as we will be cutting our nose off to spite our face. A statement has been made in their meeting that because they are in the water business, but members of the Board, when we made the decision to move forward with this project, we were also in the water business with or without the Town. Chairman Conrad also said the statement was made that the Town does not need the water from this source, so what the Town is doing is playing or baiting us. Chairman Conrad stated that he does not have any problem with trying to extend the olive branch and do everything we can to have a cohesive effort to develop a water line. Chairman Conrad stated that we are the talk of the region and he has no hesitation in saying that he has overheard other people saying that we act as if we are afraid to move with what they want to do because they are letting the Town run the show and he stated that he is fed up and every time we move in the direction to do something positive and then turn around and say maybe we will meet with them Town one more time. Chairman Conrad stated that if we have that one more meeting and they do not decide to go with the water line we move forward and when the time comes they want to hook up they pay the price as everyone else would. Chairman Conrad stated that there is nothing friendly about the boundary adjustment and it does nothing

for us other than erode our customer base. Chairman Conrad stated that he is willing to go along with what this Board wants to do, but if we meet one more time that this be the very last time.

Mr. Craft stated that the growth of Appomattox is going to be up Route 460.

Mr. Tanner stated that no one on this Board would agree to any type of boundary adjustment on Route 460 and he does not think this is slowing down the process he is in agreement in meeting with them one more time to clarify any concerns, but not to make any changes.

Chairman Conrad stated that we are allowing the Town to do a disservice to our citizens.

Mr. Carter stated that at this meeting it will be prudent to have invited guest such as Mr. Dickerson, Mr. Dameron, Mr. Roark, for clarifications of issues of concern, he feels that these people can help us to clarify and answer any questions that may arise.

Mr. Overstreet stated that he feels that the Board needs to find out the Towns position on this issue and then set up a meeting with the mentioned people to clarify any unanswered questions.

Mr. Carter stated that we need to check with those three mentioned parties and see if they are able to attend.

Ms. Ferguson stated that the Board needs to set a date to meet with the Town and then call Mike Dameron to see if he can attend.

It was consensus of the Board to set a meeting with Town Council Tuesday, September 1st at 6:00 p.m. at the Community Center because of capacity.

Chairman Conrad presented Administrative Item #7 – Library Board Appointment and explained that there is a vacancy on the Library Board representing the Falling River District. Chairman Conrad stated that he has a name and feels that they will serve in this capacity; however, he would like to check with them to make sure before actually appointing them to the Board.

Ms. Ferguson stated that she would put this on the next meeting agenda.

Chairman Conrad presented Administrative Item #8 – MOU with School Board of Adult Education Program Location and explained that they have been provided with a Memorandum of Understanding between Appomattox County Board of Supervisors and Appomattox County Public Schools concerning the physical location of Adult Education Program which has been approved and executed by the School Board. Chairman Conrad stated that staff is requesting the Board to review the MOU and take an appropriate action. Chairman Conrad called for discussion.

MEMORANDUM OF UNDERSTANDING
between
APPOMATTOX COUNTY BOARD OF SUPERVISORS
and
APPOMATTOX COUNTY PUBLIC SCHOOLS

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CONCERNING THE PHYSICAL LOCATION OF ADULT EDUCATION PROGRAM

The Appomattox County Board of Supervisors (Board) and the Appomattox County Public Schools (Schools) do hereby agree to locate the Appomattox County Adult Education Program (AEP) to a portion of the renovated area of the Carver-Price Educational Complex known as CVCC Phase II located at 130 Carver Lane in the Town of Appomattox.

The space to be occupied by AEP is the rear suite of rooms in the CVCC Phase II area. The front suite facing Business Route 460 will be occupied by Central Virginia Community College (CVCC). The Schools are permitted to use the described space only for AEP without the prior written consent of the Board.

This agreement shall be open-ended subject to annual reviews by both the Board and Schools. Either party may terminate this agreement at any time upon thirty (30) days written notice.

There shall be no financial compensation required of the Schools in order to use the described space.

There shall be no alterations to the described space without the prior written consent of the Board.

The Schools shall be responsible for janitorial service within the described space.

It will be expected that maintenance will be shared between both parties. The Board shall be financially responsible for major maintenance issues, but would expect assistance as necessary from the Schools Maintenance Department to address any issue that would arise. Minor maintenance issues such as changing light bulbs shall be the responsibility of the Schools.

The Board shall be responsible for paying all water, sewer and electricity bills. The Schools shall be expected to practice conservation wherever practical.

The Schools shall be responsible for providing telephone service to the described area. Broadband shall be provided by CVCC as long as such is deemed feasible by CVCC, after which time broadband would be the responsibility of the Schools.

The Schools will be expected to maintain a positive working relationship with CVCC and to adhere to any CVCC policies pertaining to accessing the described space.
Signed this _____ day of _____, 2010 by the following parties:

_____	_____
Thomas H. Conrad	Rev. J. Wesley Williams
Chairman, Board of Supervisors	Chairman, School Board
Witness:	Witness:
_____	_____

Aileen T. Ferguson
County Administrator

Dr. Aldridge Boone
Superintendent

Mr. Tanner made a motion to approve the MOU between the Appomattox County Board of Supervisors and the Appomattox County Public Schools concerning the physical location of the Adult Education Program. Mr. Craft seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Chairman Conrad presented the Consent Agenda and called for discussion.

CONSENT AGENDA:

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:

Animal Control

Supplement by consent and appropriate the following for donations received:

3501-5404 Medical Lab Supplies	$50.00
3501-5402 Food	20.00

Sheriff's Department

Supplement by consent and appropriate the following:

3102-1002 Overtime	$356.98
3102-2001 FICA	29.57
3102-3013 OSHA Mandates	20.00

Library

Supplement by consent and appropriate $669.62 to the following line items:

7301-5401 Office Supplies	$490.72
7301-5411 Books	89.65
7301-5414 Pamplin	89.25

Clerk of the Circuit Court

Supplement and appropriate $425.00 to 2106-5411 Micro Film in the clerk's budget this will be reimbursed to the County from the Technology Trust Fund.

Mr. Craft made a motion to approve the Consent Agenda as submitted. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Chairman Conrad presented the information items and called for discussion.

Chairman Conrad next explained that before the closed session he would go ahead with Supervisor Concerns.

Mr. Carter stated that Mrs. Moore fell and spent three days in the hospital and asked Ms. Ferguson to send a card from the Board.

Mr. Tanner stated that his granddaughter is doing great and will be coming home at the end of this week and thanks for all the prayers.

Chairman Conrad stated that he had attended the State Education Committee Meeting in Richmond and it is being pointed out that money is tight and we will be receiving less and less money this year and next year also they are looking at going to the General Assembly saying if you are not able to fund us to take care of the necessities then review all the unfunded mandates and cut them when it can possibly be done.

Chairman Conrad stated that a closed session will be needed in accordance with Section 2.2-3711(A)(3) for the Acquisition and disposition of property.

Mr. Tanner made a motion to enter into closed session at 7:20 p.m. in accordance with Section 2.2-3711(A)(3). Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Mr. Craft made a motion to return to regular session at 7:50 p.m. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Chairman Conrad read the Closed Session Certification:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.
Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Chairman Conrad reviewed the upcoming meeting dates and times.

Monday – August 24th @6:00 p.m.
Closed Session to review applications for Economic Development Director
County Administrators Office

~~Tuesday – August 25, 2009 @ 7:00 P.M.~~
~~Special Joint Meeting with Town Council~~
~~Appomattox Town Office~~
Meeting Canceled

Thursday – August 27th @ 6:00 p.m.
Crown Sterling
Dinner with Williams Gas Pipeline

August 31st
Granny B's Restaurant
Luncheon with Tom Perriello

September 1st & 6:00 p.m.
Joint Meeting with Town Council
Appomattox Community Center

***MONDAY – SEPTEMBER 7, 2009 –LABOR DAY**

Tuesday - September 8, 2009 @ 6:30 P.M.
Regular Scheduled Meeting
County Administration Building Conference Room

Monday – September 21, 2009 @ 6:30 P.M.
Regular Scheduled Meeting
Appomattox Community Center

Mr. Craft made a motion to adjourn the meeting at 8:55 p.m. Mr. Carter seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

The meeting adjourned at 8:55 p.m.

Thomas H. Conrad, Chairman

On Monday, August 24, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a special called meeting in the County Administration Conference room located on 153A Morton Lane, Appomattox, Virginia 24522

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. Samuel E. Carter – Courthouse District
Mr. William H. Craft –Appomattox River District
Mr. Gary W. Tanner – Wreck Island District

Absent: Mr. Russell H. Moore – Piney Mountain District

Also Present: Aileen T. Ferguson – County Administrator
J.G. Overstreet – County Attorney

Chairman Conrad called the special meeting of the Appomattox County Board of Supervisors to order at 6:00 p.m. and stated the purpose of this special called meeting would be to enter into closed session in accordance to Section 2.2-3711(A)(1) Code of Virginia to discuss issues of personnel.

Mr. Craft made a motion to enter into closed session at 6:01 p.m.in accordance with Section 2.2-3711 (A)(1) Personnel. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Mr. Tanner made a motion to enter into regular session at 6:55 p.m. Mr. Craft seconded Mr. Tanner's motion . Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Chairman Conrad read the Certification of a Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors. Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

No action was taken from the Closed Session.

Mr. Craft made a motion to adjourn the special called meeting at 6:58 p.m. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

The meeting adjourned at 6:58 p.m.

Thomas H. Conrad, Chairman

On Thursday, August 27, 2009 at Noon the Appomattox County Board of Supervisors held a Special called meeting at Granny B's Restaurant located on Main Street, Appomattox, Virginia.

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. William H. Craft –Appomattox River District
Mr. Gary W. Tanner – Wreck Island District

Absent: Mr. Russell H. Moore – Piney Mountain District
Mr. Samuel E. Carter – Courthouse District

Also Present: Aileen T. Ferguson – County Administrator

The special meeting of the Appomattox County Board of Supervisors was held with the purpose of meeting with Congressman Tom Perriello.

Thomas H. Conrad, Chairman

On Thursday, August 27, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a special called meeting at Crown Sterling located at Lynchburg Virginia.

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. William H. Craft –Appomattox River District
Mr. Gary W. Tanner – Wreck Island District

Absent: Mr. Russell H. Moore – Piney Mountain District
Mr. Samuel E. Carter – Courthouse District

Also Present: Aileen T. Ferguson – County Administrator
J.G. Overstreet – County Attorney

There was a special meeting of the Appomattox County Board of Supervisors with the purpose being to meet with members of Williams Gas Pipe Line and have dinner while receiving a final report on the pipeline incident.

Report was received from Williams Gas Pipe line.

Thomas H. Conrad, Chairman

On Monday, August 31, 2009 at 1:30 p.m. the Appomattox County Board of Supervisors held a special called meeting in the County Administration Conference room located on 153A Morton Lane, Appomattox, Virginia 24522

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. William H. Craft –Appomattox River District
Mr. Gary W. Tanner – Wreck Island District

Absent: Mr. Russell H. Moore – Piney Mountain District
Mr. Samuel E. Carter – Courthouse District

Also Present: Aileen T. Ferguson – County Administrator
J.G. Overstreet – County Attorney
John Spencer – Assistant County Administrator
Johnnie Roark – Planner
Earl Dickerson – Hurt & Proffitt

Chairman Conrad called the special meeting of the Appomattox County Board of Supervisors to order at 1:30 p.m. and stated the purpose of this special called meeting would be to enter into closed session in accordance to Section 15.2-2907(D) Annexation; 15.2-2711(A)7 – Legal Council for Negotiation; 15.2-2711(A)6 - Investment.

Mr. Tanner made a motion to enter into closed session at 1:33 p.m. in accordance to Section 15.2-2907(D) Annexation; 15.2-2711(A)7–Legal Council for Negotiation; 15.2-2711(A)6 - Investment. Mr. Craft seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Mr. Craft made a motion to enter into regular session at 3:00 p.m. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Chairman Conrad read the Certification of a Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the

closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors. Chairman Conrad called for a Roll Call Vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

No action was taken from the Closed Session.

Mr. Craft made a motion to adjourn the special called meeting at 3:01 p.m. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

The meeting adjourned at 3:01 p.m.

Thomas H. Conrad, Chairman

On Tuesday, September 8, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT: William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District
Samuel E. Carter – Appomattox Courthouse District

ALSO PRESENT: Aileen T. Ferguson - County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant
Johnnie Roark – Planner

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. Mr. Craft delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Added to the agenda was Administrative Item 8A-Application for Fireworks Permit; Item 8B- Memorial United Methodist Church; Item 8C- Letter to Governor Kaine and Information Item #19A – Town of Appomattox.

Chairman Conrad next called for public comment; hearing no public comment, Chairman Conrad called on Ms. Rockefeller, Landfill Supervisor to appear before the Board to present information related to business use of the convenience centers.

Ms. Rockefeller explained that the Board had previously asked her for recommendations on accepting waste from small businesses at the convenience centers. Ms. Rockefeller first explained that there was no definition for a small business. She explained that she had done some research and with the help of the County Administrator went and looked back at the fee schedule for the County Ordinance in 1992, which is when this ordinance was adopted. What business and industry brought to the landfill was classified as small user, when less than two cubic yards per week, and a medium was under twelve cubic yards per week, and then they had a large and extra large user also. Ms. Rockefeller explained that she used this information to try to define a small user. Ms. Rockefeller stated that after doing this she is recommending that a small user would be allowed one standard size, eight foot pick-up truck, minimum per week on solid waste and unlimited visits on recycles, they should be required to separate and she would like them to be required to use the convenience center which is closest to their business due to the fact that the only way to keep track of what is being brought in is to make a daily record and to fax it to the landfill. Ms. Rockefeller stated that she recommends allowing only licensed businesses dispose of their waste a the convenience centers and they will be required to show their license or some form of identification to prove they are a business and also require them to sign in for monitoring purposes.

Chairman Conrad and Mr. Tanner stated that a lot of work had been put into this and they feel this will work and satisfy the small businesses.

Mr. Craft stated that he really had not had any complaints on this.

Ms. Rockefeller stated that most of her convenience site attendants are hearing compliments coming from citizens on the sites.

Mr. Carter stated that he feels things are going a lot better, however he did receive another complaint on the convenience center at Route 648 being full and not able to accept trash.

Ms. Rockefeller stated that she had expected more trash due to the holiday. She continued that the site was not closed at any time that she is aware of. The compactor was full but they were able to place their trash in the bulk box and to her knowledge no one was turned away from the site.

Ms. Ferguson stated that she took trash to that site at about 6:30 p.m. and the boxes were full, however, she was told to put her trash in the bulk box.

Mr. Carter stated that it was about that time when he was in the grocery store and received the complaint that they were turned away due to no more room.

Ms. Rockefeller explained that the site attendant at that site has been instructed that when the compactor was full to move to the bulk box and then to the wood box and if the need should arise they could have moved to the cardboard box, which Ms. Rockefeller stated did not happen.

Ms. Rockefeller stated that they have a plan in place for holidays and no one should be turned away from the sites.

Ms. Ferguson stated that things seem to be working very well and usually after a four day holiday the sites are horrible, however, this year the boxes were full, but there was not trash on the ground and things looked a lot nicer than they have in previous years.

Mr. Carter questioned Ms. Rockefeller on what decision had been made on the light situation at these sites. Ms. Rockefeller stated that no decision had been made and she would be bringing information on the cost to the next meeting. Mr. Carter questioned if there was ample time to get these lights installed if the Board should desire to have them installed before the time changes.

Ms. Rockefeller stated that she would have the information for the Board to review by the first meeting in October.

Ms. Ferguson stated that the Board had already agreed to hold a public hearing for the tire ordinance, so does the Board wish to also add the change for small business to the ordinance. Ms. Ferguson stated that she would get the public hearing advertised for the first meeting in October.

Chairman Conrad explained that also for the Board's approval is a change order to the original contract with Layne Construction and Excavating Co. to add an attendant building at the Vera Convenience Center. Mr. Craft made a motion to accept the change order as presented. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad next presented a resolution authorizing the County Administrator to sign lease documents for the new roll off truck and he explained that the funds for this truck are in the budget. Mr. Tanner made a motion to accept the resolution authorizing the County Administrator to sign the lease for the new roll off truck upon Mr. Overstreet's approval of the lease. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Schedule (01)

EXHIBIT D

LESSEE RESOLUTION

RE: Lease With Option to Purchase Agreement dated as of August 28, 2009, between Kansas State Bank of Manhattan (Lessor) and Appomattox County (Lessee)

At a duly called meeting of the Governing Body of the Lessee (as defined in the Agreement) held on _____ the following resolution was introduced and adopted:

BE IT RESOLVED by the Governing Body of Lessee as follows:

1. **Determination of Need.** The Governing Body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of the Lease With Option to Purchase Agreement dated as of August 28, 2009, between Appomattox County (Lessee) and Kansas State Bank of Manhattan (Lessor).

2. **Approval and Authorization.** The Governing Body of Lessee has determined that the Agreement, substantially in the form presented to this meeting, is in the best interests of the Lessee for the acquisition of such Equipment, and the Governing Body hereby approves the entering into of the Agreement by the Lessee and hereby designates and authorizes the following person(s) to execute and deliver the Agreement on Lessee's behalf with such changes thereto as such person(s) deem(s) appropriate, and any related documents, including any Escrow Agreement, necessary to the consummation of the transaction contemplated by the Agreement.

   Authorized Individual(s): Aileen Ferguson, County Administrator
   (Printed or Typed Name and Title of Individual(s) authorized to execute the Agreement)

3. **Adoption of Resolution.** The signatures below from the designated individuals from the Governing Body of the Lessee evidence the adoption by the Governing Body of this Resolution.

Signature: _____
(Signature of Secretary, Board Chairman or other member of the Governing Body)

Typed Name & Title _____
(Typed Name and Title of individual who signed directly above)

Attested By: _____
(Signature of one additional person who can witness the passage of this Resolution)

Typed Name & Title: _____
(Typed name of individual who signed directly above)

Chairman Conrad next presented a revised job description for the Recycle Coordinator which better describes the actual duties of this position and stated that Ms. Rockefeller is requesting that the Board approve this job description prior to her filling this vacant position.

Mr. Carter questioned if the duty of working on grant applications was added to this description.

Ms. Ferguson stated that the grant writing that is referred to, would be strictly for the recycle grant and a small grant for training related to our insurance. Mr. Carter also stated that he did not see anywhere in this description stating they needed computer skills and he is sure they will be needed. Ms. Rockefeller stated that she felt that computer skills falls under administrative skills; however the computer skills can be added.

Mr. Carter made a motion to approve the presented job description of the Recycle Coordinator contingent upon adding computer skills. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#1 – Resolution of Personal Property Tax Relief and explained it is adopted each year setting the percentage of personal property tax relief on qualifying vehicles. Chairman Conrad called for discussion.

Mr. Tanner made a motion to adopt the Resolution of Personal Property Tax Relief as presented. Mr. Cater seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

RESOLUTION

BE IT RESOLVED THAT in accordance with the requirements set forth in section 58.1-3524 (C) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in item 503.E (Personal Property Tax Relief Program) of Chapter 951 if the 2005 Acts of Assembly any qualifying vehicle sitused within the County commencing January 1, 2009, shall receive personal property tax relief in the following manner:

- Personal use vehicle at $1,000 (assessed value of $500) or less will be eligible for 100% tax relief;
- Personal use vehicles valued at $1,001 to $20,000 (assessed value of $501 - $10,000) will be eligible for 46.5% of tax relief;
- Personal use vehicles valued at $20,001 (assessed value of $10,001) or more shall only receive 46.5% tax relief on the first $20,000 of value; and
- All other vehicles which do not meet the definition of "qualifying" (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.

Chairman Conrad presented Administrative Item#2 – Draft Zoning Ordinance and explained that Mr. Roark had provided the Board with a draft zoning ordinance in late June and provided an overview of the major changes. Chairman Conrad stated that with the Board now having several months to review the draft and if there are no questions or changes Mr. Roark would like to schedule a joint public hearing with the Planning Commission on October 22nd, at 6:00 p.m.

Mr. Craft made a motion to schedule a public hearing on October 22nd, 2009 at 6:00 p.m. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#3 – Library Board Vacancy and stated that Ms. Donna Pankey is willing to serve on the Library Board representing the Falling River District with term beginning immediately and ending August 31, 2013. Chairman Conrad called for discussion.

Mr. Tanner made a motion to appoint Ms. Donna Pankey to the Library Board with term beginning immediately and ending August 31, 2013 representing the Falling River District.

Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#4 – Tobacco Commission Grant Resolution and explained that at an earlier meeting the Board had agreed to move forward with a Tobacco Commission grant application for the purpose of securing funding to establish a Broadband Authority and enclosed is the resolution to accompany that application.

Resolution to endorse the application for
Virginia Tobacco Indemnification and Community Revitalization Commission
Southside Economic Development Grant Program funds
to aid in the development of a Broadband Authority serving Appomattox County, Virginia

WHEREAS, the Virginia Tobacco Indemnification and Community Revitalization Commission (TICRC) has announced available funding for their Southside Economic Development Grant Program; and

WHEREAS, both the Appomattox County Board of Supervisors and the Economic Development Authority of Appomattox County have recognized the importance to our County's economic health of continued and widespread Broadband deployment throughout Appomattox County; and

WHEREAS, Appomattox County has joined with the other Region 2000 member localities in supporting the Region 2000 Economic Development Council's increased emphasis on Broadband deployment to raise the economic competitiveness of the Region; and

WHEREAS, the Appomattox County Board of Supervisors, upon the recommendation of the Economic Development Authority of Appomattox County, has endorsed the creation of a Broadband Authority to serve County citizens.

THEREFORE, BE IT RESOLVED THAT the Appomattox County Board of Supervisors does hereby authorize application for funding in the amount of $55,000 (with $5,000 in matching County funds) from the Virginia Tobacco Indemnification and Community Revitalization Commission for a Southside Economic Development grant to be utilized for (a) the creation of a Broadband Authority pursuant to the provision of the Virginia Wireless Service Authority Act; (b) an analysis of local vertical assets; (c) a preliminary propagation study to identify locations where towers may be needed; (d) the competitive solicitation of proposals from broadband providers; (e) and as a funding and financing conduit for the private sector as needed.

BE IT FURTHER RESOLVED THAT the Appomattox County Board of Supervisors does hereby authorize County Administrator Aileen T. Ferguson to sign and execute all grant-related documents on behalf of the Board and that Ms. Ferguson accepts all responsibility for the accuracy of the application and for the appropriate use of the Tobacco Commission funds, should they be granted.

Chairman Conrad called for discussion, hearing none; Mr. Moore made a motion to adopt the resolution to endorse the application for Virginia Tobacco Indemnification and Community Revitalization Commission Southside Economic Development Grant Program funds to aid in the development of a Broadband Authority serving Appomattox County. Mr. Tanner seconded Mr. Moore's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#5 – Special Election and explained that due to the resignation of the Clerk of Circuit Court with effective date of August 31, 2009, Mr. Overstreet had prepared a petition and an order related to filling the Clerk of Circuit Court's unexpired term of office. Chairman Conrad called for discussion.

Mr. Overstreet stated that he had prepared this document per code requirements and a special election would have to be held in year 2010. Mr. Overstreet explained that the person elected would begin immediately until the term ends in 2015.

VIRGINIA: IN THE CIRCUIT COURT OF APPOMATTOX COUNTY

RE: COUNTY OF APPOMATTOX, VIRGINIA,

PETITION

TO THE HONORABLE RICHARD S. BLANTON, JUDGE

This day comes the County of Appomattox, Virginia by and through its County Attorney and petitions the Circuit Court of Appomattox County, Virginia for a special election, pursuant to Section 24.2-228.1 of the Virginia Code and in support of said motion says as follows:

1. That Barbara R. Williams is the duly elected Clerk of Court for the Circuit Court of Appomattox County.
2. That the aforesaid Barbara R. Williams has retired from the Circuit Court of Appomattox County effective the 31st day of August 2009.
3. That the Board of Supervisors, pursuant to Sec. 24.2-228.1 of the Code of Virginia must petition the Circuit Court of Appomattox County for the issuance of a writ of election to fill the aforesaid vacancy.
4. That the Board of Supervisors of Appomattox County at its meeting duly held on the 8th day of September, 2009 passed a resolution authorizing the County Attorney of Appomattox County to submit a petition to the Circuit Court of Appomattox County.
5. That Sec. 24.2-228.1A Code of Virginia provides that ". . . a vacancy in any elected constitutional office, . . . , shall be filled by special election"; and that the date shall be 'determined pursuant to Sec. 24.2-682." and
6. That Sec. 24.2-682 C. Code of Virginia provides that "A special election to fill a

J. G. Overstreet
Attorney at Law
Bedford, Virginia

vacancy in any county . . . office, regularly elected in a November election, shall be held on a November general election day." and

7. That Sec. 24.2-228.1 A Code of Virginia further provides that ". . . a vacancy in any elected constitutional office in any county . . . with a population of 15,0000, or less, . . . shall be held at a special election to be held in November. If the vacancy occurs within 120 days prior to that election, however, the writ shall order the election to be held at the second ensuing such general election."

8. That the population of Appomattox County is less than 15,000 and August 31, 2009 is within 120 days of the next November general election date of November 3, 2009.

WHEREFORE, pursuant to the requirements of Title of 24.2 of the Virginia Code, specifically, Sec. 24.2-228.1 and 24.2-682, the Board of Supervisors of Appomattox County hereby petitions that a special election be held to fill the vacancy of the Clerk of the Circuit Court of Appomattox County and respectfully requests that the special election be held on the day of the general election which is scheduled for the 2nd day of November 2010.

County of Appomattox

By:_____
Of Counsel

J. G. Overstreet
County Attorney for Appomattox County
VSB No.14182
P.O. Box 863
103 East Main Street
Bedford, VA 24523
(540) 596-1979

judge

J. G. Overstreet
Attorney at Law
Bedford, Virginia

VIRGINIA: IN THE CIRCUIT COURT FOR APPOMATTOX COUNTY

RE: THE COUNTY OF APPOMATTOX

ORDER

This day came the County of Appomattox, Virginia by and through the County Attorney, upon its petition that the Circuit Court of Appomattox County order a special election.

And it appearing to the court that :

1. That Barbara R. Williams is the duly elected Clerk of the Court for the Circuit Court of Appomattox County.
2. That the aforesaid Barbara R. Williams has retired as Clerk of the Circuit Court of Appomattox County effective the 31st day of August 2009.
3. That the Board of Supervisors, pursuant to Sec. 24.2-228.1 of the Code of Virginia must petition the Circuit Court of Appomattox County for the issuance of a writ of election to fill the aforesaid vacancy.
4. That the Board of Supervisors of Appomattox County at its meeting duly held on the 8th day of September, 2009 passed a resolution authorizing the County attorney of Appomattox County to submit a petition to the Circuit Court of Appomattox County.
5. That Sec. 24.2-228.1A Code of Virginia provides that " . . . a vacancy in any elected constitutional office, . . . , shall be filled by special election"; and that the date shall be "determined pursuant to Sec. 24.2-682." and
6. That Sec. 24.2-682 C. Code of Virginia provides that "A special election to fill a vacancy in any county . . . office, regularly elected in a November

J. G. Overstreet
Attorney at Law
Bedford, Virginia

election, shall be held on a November general election day." and

7. That Sec. 24.2-228.1 A Code of Virginia further provides that " . . . a vacancy in any elected constitutional office in any county . . . with a population of 15,0000, or less, . . . shall be held at a special election to be held in November. If the vacancy occurs within 120 days prior to that election, however, the writ shall order the election to be held at the second ensuing general election."

8. That the population of Appomattox County is less than 15,0000 and August 31, 2009 is within 120 days of the next general election date of November 3, 2009.

AND THE COURT DOTH SO DECIDE.

It is accordingly ADJUDGED, ORDERED, and DECREED that a special election shall occur on the 2nd day of November 2010 to elect the Clerk of the Circuit Court of Appomattox County, Virginia to serve out the remaining term of the Clerk of the Circuit Court, which expires on the 31 day of December 2015.

ENTER this _____day of _____, 2009

_____
Richard S. Blanton, Judge

I ask for this:

_____
J. G. Overstreet, County Attorney

J. G. Overstreet, County Attorney for Appomattox County
VSB No. 14182
P.O. Box 863, 103 East Main Street Bedford, VA 24523, (540) 586-1979

J. G. Overstreet
Attorney at Law
Bedford, Virginia

ask

Mr. Craft made a motion to adopt the resolution as presented by Mr. Overstreet for the special election for the Clerk of the Circuit Court being held in year 2010. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item# 5- Railroad Festival Parade and stated that the Board had received information concerning the Railroad Festival Parade that will be held on

Saturday, October 10, 2009 beginning at 10:30 a.m. and if the Board is planning to participate in this parade we will need to get an application in within the week. Chairman Conrad called for discussion.

Chairman Conrad stated that it may not be possible for the Board to participate due to other commitments.

Mr. Tanner made a motion to not participate in the Railroad Festival Parade this year. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#7- Additional Holiday Request and explained that letters had been received from Constitutional Officers and the Director of Social Services requesting that the Board grant an additional half day holiday for Thanksgiving. Chairman Conrad called for discussion.

Mr. Craft stated that this has been discussed previously and feels it will help the moral of employees.

Mr. Craft made a motion to approve the request of an extra half-day holiday on the Wednesday prior to Thanksgiving. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#8- Land Acquisition and explained that at a previous meeting the Board instructed staff to proceed with the purchase of two parcels of property that will be necessary to the waterline project. Staff has worked with both individuals and is ready to take the next step. Chairman Conrad called for discussion.

Mr. Overstreet stated that he has a contract prepared by the seller and an agreement has been reached according to the price as previously agreed upon by the Board. Mr. Overstreet stated the property is located on the Southside and is 2.791 acres and 1.37 acres which is owned by Burrus/Conner LLC and the title is in place and the closing will be October 5, 2009.

Mr. Tanner made a motion to approve the purchase of this property and also authorize the Chairman to sign the contract. Mr. Moore seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#8A- Application for Fireworks and explained that the Town had submitted an application for a Fireworks Permit for Saturday, October 10, 2009 at John Cole's farm. Chairman Conrad called for discussion.

Mr. Carter made a motion to approve the application for Fireworks for Saturday, October 10, 2009 at John Cole's farm. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for

discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#8B- Memorial United Methodist Church and explained that they are planning a community event on Courtland Field on September 27, 2009 with no charge to the public and they are requesting that the Board waive the $100 fee for use of this property. Chairman Conrad called for discussion.

Mr. Overstreet stated that the Board cannot waive this fee for a church if it is not waived for other organizations.

Mr. Carter stated that he did not think there was an ordinance in place on this.

Ms. Ferguson stated that some changes had been made on the use of Courtland Field but does not think any provisions were built in for this.

It was the consensus of the Board to table action on this issue until the next meeting and have Ms. Ferguson review the policy.

Chairman Conrad presented Administrative Item#8C- Letter to Governor Kaine and explained that Prince Edward County Board of Supervisors has written Governor Kaine requesting VDOT to be allowed to complete construction on the trial surface for High Bridge Trail State Park and they would like Appomattox to consider sending a similar letter. Chairman Conrad called for discussion.

Mr. Craft and Mr. Carter spoke in support of pursing this.

Mr. Carter made a motion to send a letter to Governor Kaine requesting that VDOT be allowed to complete construction on the trail surface for High Bridge Trial State Park. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Consent Agenda and called for discussion.

CONSENT AGENDA:
Approval of Bills
Approval of Minute
Regular Scheduled Meeting - June 15, 2009
Public Hearing – June 15, 2009
SUPPLEMENTAL APPROPRIATIONS:
Sheriff's Department
Supplement by consent and appropriate the following:

3102-3013 OSHA Mandates	90.00
3301-5402 Food	77.40

Animal Control
Supplement by consent and appropriate $20.00 to 3501-5402 Food/Food Supplies in the Animal Control budget for donation received.

FUND TRANSFER:
Sports Complex Fund
Transfer by consent $1492.50 from the Sports Complex Fund to the General Fund to cover the attached bill.

LINE ITEM TRANSFERS:
County Administration
Approve a line item transfer in the amount of 42,125.00 from1101-5804 Operating Reserve to the following:

1101-2011	Workman's Compensation			$3,911.00
4302-5308	General Liability			530.00
5301-5305	Automobile Insurance			658.00
1201-2005	Blue Cross/Blue Shield			2,178.00
1209-2005	"	"	"	1,815.00
1213-2005	"	"	"	1,452.00
1302-2005	"	"	"	363.00
2106-2005	"	"	"	1,815.00
2107-2005	"	"	"	363.00
2201-2005	"	"	"	1,815.00
3102-2005	"	"	"	11,253.00
3103-2005	"	"	"	363.00
3104-2005	"	"	"	726.00
3501-2005	"	"	"	726.00
3606-2005	"	"	"	5,082.00
4203-2005	"	"	"	1,089.00
4204-2005	"	"	"	1,089.00
4205-2005	"	"	"	2,541.00
4208-2005	"	"	"	363.00
4302-2005	"	"	"	1,089.00
5310-2005	"	"	"	363.00
7102-2005	"	"	"	726.00
7301-2005	"	"	"	1,089.00
8104-2005	"	"	"	363.00
8105-2005	"	"	"	363.00
8205-2005	"	"	"	363.00

Mr. Carter made a motion to accept the Consent Agenda as presented. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Information Items and called for discussion.

INFORMATIONAL ITEMS:
Virginia's Region 2000 Services Authority Update Enclosed is the final accounting on the Region 2000 Services Authority Start-Up Funds

Columbia Gas of Virginia
Enclosed is a news release concerning natural gas costs for Columbia Gas of Virginia.

Monthly Department Reports
Enclosed is the monthly department report from the following department:

- Building Official

Appomattox County Public Schools
Enclosed is the monthly financial report for August 2009 for your review.

Robert E. Lee Soil & Water Conservation District
Enclosed for your information are the minutes of the Robert E. Lee Soil & Water Conservation Services Board of Directors Meeting held on July 23, 2009.

Town of Appomattox
Enclosed for your information the agenda for September 14, 2009 Town Council Meeting.

Having no discussion on the Information Items, Chairman Conrad called for Supervisor Concerns.

Mr. Carter stated that he had received some feedback on the website from citizens and we need to pay more attention to this.

Ms. Ferguson stated that to make sure citizens are on the correct site and at this time we do not have funds to be spent on this and all the work has been donated. Ms. Ferguson stated that we are aware that some updating needs to be done and we will be working on this.

Mr. Tanner stated that he wanted to thank Ms. Rockefeller for the work she had done on the small businesses using the convenience sites and feels that she quelled a concern which is what we should do.

Mr. Tanner questioned if the County Seal had been sent to VACo along with the County Flag.

Mr. Spencer stated that the seal and flag had been sent to VACo.

With no other Supervisor Concerns Chairman Conrad stated that a Closed Session would be needed to discuss legal matters with the County Attorney.

Mr. Overstreet explained that the legal issues would be waterline issues.

Mr. Tanner made a motion to enter into closed session at 7:30 p.m. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Tanner made a motion to enter back into regular session at 8:00 p.m. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad read the Closed Session Resolution:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors.

Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

No action was taken from the closed session.

Chairman Conrad reviewed the upcoming meeting schedule and called for other discussion.

Hearing no discussion, Mr. Craft made a motion to adjourn the regular scheduled meeting at 8:03 p.m. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Meeting adjourned at 8:03 p.m.

Thomas H. Conrad, Chairman

On Monday, September 21, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a special called meeting in the Appomattox Community Center located at 220 Community Lane, Appomattox Virginia.

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. William H. Craft –Appomattox River District
Mr. Gary W. Tanner – Wreck Island District
Mr. Russell H. Moore – Piney Mountain District
Mr. Samuel E. Carter – Courthouse District

Also Present: Aileen T. Ferguson – County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps- Administrative Assistant

Absent: John Spencer – Assistant County Administrator

Chairman Conrad called the special meeting of the Appomattox County Board of Supervisors to order at 6:00 p.m. and stated the purpose of this special called meeting would be to enter into closed session in accordance to Section 15.2-1418 (personnel matters) of the Code of Virginia as amended.

Mr. Tanner made a motion to return to closed session at 6:00 p.m. in accordance to Section 15.2-1418 to discuss personnel matters. Mr. Craft seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Tanner made a motion to enter into regular session at 6:20 p.m. Mr. Carter seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad read the Certification of a Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the

closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors. Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

No action was taken from the Closed Session.

Mr. Craft made a motion to adjourn the special called meeting at 6:23 p.m. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

The meeting adjourned at 6:23 p.m.

Thomas H. Conrad, Chairman

On Monday, September 21, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox Virginia.

PRESENT:	Samuel E. Carter – Appomattox Courthouse District William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Gary W. Tanner – Wreck Island District Russell H. Moore – Piney Mountain District
ALSO PRESENT:	Aileen T. Ferguson - County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant
ABSENT:	John K. Spencer – Assistant County Administrator

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. Mr. Tanner delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the Agenda and added to the agenda was Administrative Item#5A- Consideration of RZ09004-Raymond Scruggs and Lois Scruggs; Item#5B- Discussion regarding Creation of Public Services Authority and Item#5C- Discussion of Visioning Meeting.

Chairman Conrad called for Public Comment, hearing no public comment; Chairman Conrad called on Mr. Mike Womack, Forest Management Specialist to appear before the Board to give his annual report and also to present the Board with a check for the County's share of revenues from the State Forest.

Mr. Womack came forward and stated that historically the State Forest gives 25% back to the County, but the General Assembly has now changed that to 12.5% keeping the other half and using the funds for enhancement of the recreation activities in the State Forest.

Mr. Womack stated that in the past year they have used the money for enhancing recreation by cutting back the brush for hiking trails. They have also created some new maps and brochures of the recreational areas in the State Forest. Mr. Womack stated that they have also constructed day use areas which provide parking for horse trailers.

Mr. Womack stated that during the last General Assembly Session they enacted a change for the State Park this year which is a user permit and it is going to require you to have a permit not only for hunting, but to trap, fish, mountain bike ride and horse ride on the State Park which will be state wide.

Mr. Womack called for questions or comments from the Board.

Mr. Carter stated that he had someone tell him about an abundance of their hardwood trees dying and questioned if they had noticed the same in the State Park.

Mr. Womack stated that he has not noted any of that in the State Park and it must be an isolated area that this is happening in. Mr. Womack stated that if this citizen wanted someone to come and look at his trees that he could contact Rick Butler at the Appomattox Forestry Office.

Mr. Womack called for other questions or concerns. Hearing none; he presented the Board with a check in the amount of $23,490.35.

Mr. Conrad thanked Mr. Womack for his annual report and also for the check in the amount of $23,490.35.

Chairman Conrad presented Administrative Item#1- Blue Ridge Regional Jail Authority Resolution and explained that the Blue Ridge Regional Jail Authority had received approval from the Commonwealth of Virginia to fund 50% of the eligible construction cost for the new jail in Amherst and since the State is probably ending this program we will be lucky to get in under the wire for this 50% reimbursement. Chairman Conrad stated that the State will only give their 50% after the construction is finished, so the Authority needs to borrow the localities share in long term bonds and the State share in short term notes, which will be repaid when we get our State reimbursement. Chairman Conrad stated that construction bids have been received and they are very favorable, so it is time to go ahead with the borrowing. Chairman Conrad stated that our financial advisor is recommending that we refund some of our old debt in the same

Virginia Resources Authority issuance, so staff is recommending adopting this resolution. Chairman Conrad called for discussion.

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF APPOMATTOX, VIRGINIA APPROVING THE ISSUANCE OF DEBT BY THE BLUE RIDGE REGIONAL JAIL AUTHORITY

WHEREAS, the County of Appomattox, Virginia (the "County") entered into that certain Agreement, dated as of July 1, 2007 (the "Agreement"), among itself, the Cities of Lynchburg and Bedford and the Counties of Amherst, Bedford, Campbell and Halifax (collectively, the "Member Jurisdictions") and the Blue Ridge Regional Jail Authority (the "Authority") pursuant to which the County and the County of Amherst became members of the Authority and agreed to use the Authority's regional jail facilities (the "Regional Jail") under the terms of a Service Agreement, dated July 28, 1997 (the "Service Agreement"), among the Authority and the Cities of Lynchburg and Bedford, and the Counties of Bedford, Campbell and Halifax;

WHEREAS, pursuant to the Agreement, the Authority and the Member Jurisdictions agreed to build an addition to the Regional Jail to be located in Amherst County (the "New Addition") and make certain other improvements to the Regional Jail to accommodate the needs of the Authority from the addition of the County and the County of Amherst;

WHEREAS, pursuant to the Service Agreement, as amended by the Agreement, Member Jurisdictions are responsible for the payment of fees and charges for the use by their prisoners of the Regional Jail, including the New Addition to be constructed, and such payments are the primary source of revenue from which the Authority pays expenses of operations, including debt service on its bonds and other obligations;

WHEREAS, the Board of Directors of the Authority has authorized and approved the proposed issuance by the Authority of its revenue bonds and notes in the aggregate principal amount not to exceed $63,000,000 to fund the acquisition, construction, equipping and related issuance costs of the New Addition and other improvements to the Regional Jail, approximately $24.8 million of which is expected to be reimbursed by the Commonwealth of Virginia, and has also authorized refunding revenue bonds in the aggregate principal amount not to exceed $25,000,000 for the purpose of refinancing all or a portion of the Authority's revenue bonds issued in 1997 in connection with the initial acquisition, construction and equipping of the Regional Jail and paying issuance costs related to such refinancing (the "Project");

WHEREAS, the Authority and the County have determined it is in the best interest of the Authority to sell all or a portion of such obligations to the Virginia Resources Authority ("VRA") which will result in substantial benefit and savings to the Authority and the County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Appomattox, Virginia that:

1. **Consent to Issuance and Sale of Obligations.** The County hereby acknowledges the benefits and savings and consents to the issuance and sale of all or a portion of the revenue bonds, revenue notes and refunding revenue bonds referenced above (the "Obligations") by the Authority to VRA for the purpose described above, subject to the adoption of similar resolutions by the governing bodies of the other Member Jurisdictions.

2. **Limited Obligations of the Authority.** The County hereby acknowledges and agrees that the source of the payment of and security for debt service on the Obligations are the revenues of the Authority, including but not limited to the fees and charges paid the by the County. It is to be understood that the documents reflecting the terms and provisions of the Obligations shall provide that such indebtedness shall not be deemed to constitute a debt or pledge of the faith and credit or the taxing power of the Commonwealth of Virginia or any political subdivision thereof, including the Authority and the County, and that neither the Commonwealth nor any other political subdivision or the Authority shall be obligated to pay the principal of, premium, if any, or interest on such indebtedness or other costs incident thereto, except from the revenues pledged by the Authority therefor, all as permitted by law and described under the documentation in connection with the Obligations.

3. **Ratification of Service Agreement.** All terms and provisions of the Service Agreement, as amended by the Agreement, are hereby ratified and confirmed by the County.

4. **Effective Date.** This resolution shall take effect immediately.

Adopted by a majority vote of the Board of Supervisors of the County of Appomattox, Virginia on September 21, 2009.

Mr. Craft made a motion to adopt Resolution approving the issuance of debt by the Blue Ridge Regional Jail Authority.

Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#2 – Appomattox County Seal and explained that the Appomattox Women's Club is requesting permission to use the County Seal on Jefferson cups that they plan to give as thank you gifts to participants in one of their fund raisers. Chairman Conrad explained that in the past the Board has allowed the seal to be used on several items that they have offered for sale. Chairman Conrad called for discussion.

Mr. Tanner stated that the Jefferson cup is a very appropriate item to have the Appomattox County seal on.

Mr. Carter stated that he is in favor of allowing this and feels it is good public relations.

Mr. Tanner made a motion to allow the Woman's Club to use the Appomattox County seal on the Jefferson cup for thank you gifts. Mr. Carter seconded Mr. Tanner's motion. Chairman

Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#3- FOIA Tutorial and explained that J. Vaden Hunt, Amherst County Attorney, at the request of the Amherst County Board of Supervisors, has extended an invitation to the Board to attend a Virginia Freedom of Information Act tutorial on Monday, October 19, 2009. Mr. Conrad stated that he feels that this is a very worthwhile session; however it will fall on a regular scheduled meeting night for the Board of Supervisors. Chairman Conrad called for discussion.

Chairman Conrad stated that this is something you can never learn too much of and it is always something different to know about. Chairman Conrad asked if the Board could possibly cancel their regular scheduled meeting so that they would be able to attend this meeting.

Mr. Overstreet stated that if the Board so chooses the Regular Scheduled meeting could be canceled with the proper notification.

Mr. Tanner stated that you can never learn enough and we could possibly send someone from the Board to attend.

Ms. Ferguson stated that maybe we could possibly schedule our own meeting with Mr. Overstreet.

Mr. Carter stated that he was in favor of Mr. Overstreet conducting a meeting with our Board since he looks at Mr. Overstreet for guidance in this area.

Mr. Tanner stated that we can thank Amherst for the invitation and let them know we will not be able to attend due to a regular scheduled meeting and then schedule a workshop of our own with Mr. Overstreet.

It was the consensus of the Board to thank Amherst for the invitation and then have Mr. Overstreet conduct a workshop. Mr. Overstreet stated that he could do this and he would also like to address the issue of conflict of interest.

Chairman Conrad presented Administrative Item #4 – VACo Annual Meeting and explained that VACo Annual Meeting is scheduled for November 6-10 and there are several amendments to the VACo By-Laws that will be voted on during that Annual Business Meeting. Since Mr. Tanner and Mr. Conrad are registered to attend the Board will need to appoint one of them to send as our delegate. Chairman Conrad called for discussion.

Mr. Tanner stated that he feels that since Mr. Conrad is Chairman of the Board, he should serve as the delegate.

Mr. Craft made a motion to appoint Mr. Conrad to serve as delegate for the Board and vote on the VACo By-laws at their Annual Business Meeting in November. Mr. Tanner seconded Mr.

Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#5- Memorial United Methodist Church and explained that at the September 8th meeting the Board considered a request for exemption of the $100 per day fee for the use of Courtland Field. At that meeting Mr. Overstreet raised some question concerning approving this request so a copy of the rental agreement for the use of County facilities has been provided for review. Chairman Conrad called on Mr. Overstreet to discuss this with the Board.

Mr. Overstreet stated that after speaking with the County Administrator on this policy and since we do handle each of the requests in the same manner. Mr. Overstreet stated that he did not have a problem with the approval of this request.

Mr. Carter made a motion to approve the request of Memorial United Methodist Church to waive the $100 per day fee for use of Courtland Field. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#5B- Discussion regarding Creation of Public Services Authority and stated in April 2009 the Board of Supervisors voted to move forward with creating a Public Services Authority (PSA) to operate the new water system. Chairman Conrad stated that staff has been collecting information and now needs input from the Board.

Mr. Craft questioned how elaborated this would have to be.

Mr. Overstreet stated that you would need five members and explained that he had previously briefed the Board on the Creation of a Public Service Authority. Mr. Overstreet stated that the Board of Supervisors can serve as the Public Service Authority. Mr. Overstreet then explained the information he would need to contact the proper authorities in creating this authority.

Mr. Roark explained that he needed action taken on several items tonight the first being which services does the Board intend to authorize and also the Board will need to determine the membership of the Board of Directors for the PSA. Mr. Roark explained that one or more members of the Board may serve on the PSA Board of Directors and the Board of Directors must contain five members and a length of term shall be for no more than four years.

Mr. Tanner stated that he feels the Board needed more time before making a decision on this issue.

Mr. Roark stated that he would bring this before the Board again during the second meeting in October.

Mr. Carter asked about the time constraints on this PSA?

Mr. Roark stated that we do have some time before this must be done.

Mr. Carter stated that due to some different activity going on in the Town we may want to wait some time to see if the Town would maybe come forward, which would delete the necessity of needing a PSA.

Chairman Conrad asked what specifically should we be waiting on.

Mr. Carter stated that we need to digest this information a little more before making a decision.

Mr. Tanner stated that he is willing to wait a little longer but he does not want to hold up Mr. Roark any longer.

Mr. Overstreet stated that he could go ahead and start the paperwork and not send until the he receives the okay from the Board.

It was the consensus of the Board to table this issue and bring back to the Board during the November meeting.

Chairman Conrad presented Administrative Item#5C- Discussion of Visioning Meeting and stated that earlier this year there was some discussion of scheduling a visioning meeting with the Planning Commission and the Economic Development Authority. Mr. Conrad stated the Planning Commission is requesting that the Board re-commit to scheduling this meeting. Chairman Conrad called for discussion.

Mr. Tanner stated that he is in agreement to invite all entities to this meeting.

Ms. Ferguson stated that she would like for the Board to go ahead and set a date for this meeting and then we will pursue contacting the other entities.

It was the consensus of the Board to set the date and time for this visioning meeting for November 4th @ 6:00 p.m. at the Community Center.

Chairman Conrad presented the Consent Agenda and called for discussion.

CONSENT AGENDA:
Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:
Sheriff's Department
Supplement by consent and appropriate the following:

3102-1002 Overtime	$250.73
3102-2001 FICA	20.77

Animal Control
Supplement by consent and appropriate $30.00 to 3501-5402 Food/Food Supplies in the Animal Control budget for a donation received.

Library
Supplement by consent and appropriate the following:
7301-5401 Office supplies $450.36
7301-5411 Books 191.29
for sale of stamps, office supplies, book replacement fees, donations and book sales.

FUND TRANSFER:
Sports Complex Fund
Transfer by consent $7150.00 from the Sports Complex Fund to the General Fund to cover the attached bills.

LINE ITEM TRANSFER
Economic Development
Transfer by consent the following:
$1361.66 from 1101-5804 Operating Reserve
to 8105-7001 Equipment to purchase computer for economic development office.

Mr. Tanner made a motion to adopt the Consent Agenda as submitted. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Information Items:
Monthly Department Reports
Enclosed is the monthly department report from the following department:

- Department of Recreation and Tourism

Chairman Conrad called for Supervisor Concerns.

Mr. Carter stated that Social Services parking lot lines need to be repainted. Ms. Ferguson stated that she would check into this.

The Board of Supervisors entered into a public hearing at 7:00 p.m. to receive public comment on Zoning Petition RZ-09004 Raymond and Lois Scruggs.

The Board reconvened their regular meeting at 7:08 p.m.

Chairman Conrad presented Administrative Item#5A- Consideration of Petition-RZ09004- Raymond Scruggs and Lois Scruggs and stated that two public hearings have been held on this petition and the adjoining property owners have been duly notified. Chairman Conrad stated that the petitioner requests that a total of 4.75 acres in three parcels be rezoned from R-1, Residential Zoning to A-1, Agricultural Zoning District. Chairman Conrad called for discussion.

Mr. Craft made a motion to approve Petition-RZ09004- Raymond Scruggs and Lois Scruggs to rezone a total of 4.75 acres in three parcels from R-1, Residential Zoning to A-1, Agricultural Zoning. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion,

hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Upcoming meetings.

Chairman Conrad called any other comments, hearing none; Mr. Tanner made a motion to adjourn the Regular Scheduled Meeting at 7:10 p.m. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:10 p.m.

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Thomas H. Conrad, Chairman

On Monday, September 21, 2009 at 7:00 p.m. the Appomattox County Board of Supervisors held Public Hearing at the Appomattox Community Center, located at 220 Community Lane, Appomattox Virginia.

PRESENT:	Samuel E. Carter – Appomattox Courthouse District William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Gary W. Tanner – Wreck Island District Russell H. Moore – Piney Mountain District
ALSO PRESENT:	Aileen T. Ferguson - County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant
ABSENT:	John K. Spencer – Assistant County Administrator

Chairman Conrad called the Public Hearing to order at 7:05 p.m.

Chairman Conrad called on Mr. Roark, Planner, to come and brief the Board on the petition to be heard at tonight's public hearing.

Mr. Roark came forward and explained that the Board would be hearing petition RZ09004 of Raymond Scruggs and Lois Scruggs who are requesting to rezone property located on Watt Abbitt Road from Residential District, R-1 to Agricultural District, A-1. Mr. Roark explained that the request consist of three parcels, one of which has a home on it while the other two are vacant. Mr. Roark stated that the applicants are requesting to rezone property to A-1 in order to locate a single wide mobile home on one of the parcels. The property is in a heavily used

agricultural area and single family dwellings and mobile homes are located within eye sight of these properties.

Mr. Roark stated that the Planning Commission held a public hearing on this petition at its September 14, 2009 meeting, and the Appomattox County Planning Commission moved to recommend approval of zoning petition RZ 09004 of Raymond Scruggs and Lois Scruggs as submitted for reason of public necessity, convenience, general welfare, and good zoning practice.

Mr. Roark called for questions from the Board.

Chairman Conrad called for any public comment.

Mr. John Saunders came forward and stated his address as 5268 Watt Abbitt Road, and then stated that his property joined Mr. and Mrs. Scurggs property and he questioned if he wanted to use his property in the same manner as Mr. Scruggs would he have to go through the same procedure.

Chairman Conrad stated that Mr. Saunders' property is already zoned A-1 and he would not have to go through this procedure if he wanted to propose the same changes. Mr. Saunders stated that he was in favor of this petition.

Chairman Conrad called for other comments, hearing none; he closed the public hearing at 7:08 p.m.

Thomas H. Conrad, Chairman

On Monday, October 5, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a public hearing on Amendments to the Solid Waste Ordinance at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT:	William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District Samuel E. Carter – Appomattox Courthouse District
ALSO PRESENT:	Aileen T. Ferguson - County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant Johnnie Roark – Planner Alice Rockefeller – Landfill Supervisor

Chairman Conrad called the Public Hearing to order at 6:00 p.m. and then asked Ms. Rockefeller to explain the amendments being proposed to the Solid Waste Ordinance.

Ms. Rockefeller explained that she would go over the basic changes that are being made to the ordinance.

Ms. Rockefeller started by explaining the proposed changes are on tires. She explained that at this time we do not take tires from citizens, all tires go to Emanuel Tire and the citizen is charged. The new amendment to the ordinance would allow you to dispose of your tires at the Waste Management Facility only, not at Convenience Sites, we will accept passenger or light pick-up tires and you would be able to dispose of up to eight tires a year at no charge and you must be a resident of Appomattox County.

Ms. Rockefeller next explained the amendments to the ordinance allowing small businesses the ability to use the convenience centers. The amendment would allow small businesses to bring one standard size pick up truck or smaller per week and unlimited visits on recycle material and would be required to separate their solid waste from recycle material. They will be required to use the convenience center that is located closest to their business. The business would have to provide official documentation of the name and address of their business and would be required to sign in at each visit.

Chairman Conrad called for questions from the Board, hearing no questions from the Board; Chairman Conrad called for comments from the public; hearing none, Chairman Conrad closed the public hearing at 6:05 p.m.

Thomas H. Conrad, Chairman

On Monday, October 5, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Building, located at 153A Morton Lane, Appomattox Virginia.

PRESENT:	William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Russell H. Moore – Piney Mountain District Gary W. Tanner – Wreck Island District Samuel E. Carter – Appomattox Courthouse District
ALSO PRESENT:	Aileen T. Ferguson - County Administrator John K. Spencer – Assistant County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant Johnnie Roark – Planner

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:30 p.m. Mr. Carter delivered the invocation which was then followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Added to the agenda was Administrative Item 2A- Consideration of Adoption of Solid Waste Ordinance Changes.

Chairman Conrad next called for public comment; hearing none, Chairman Conrad called on Mr. Bill Jamerson to appear before the Board.

Mr. Jamerson came forward and stated that he was here tonight to talk about the water line, and then stated that he supported the decision the Board had made in proceeding with the waterline. Mr. Jamerson stated that he feels that this is one of the most important decisions that the Board has had to make in a long time. He also stated that he thinks this is important enough to quit drawing lines in the sand with the Town and start doing what is right for this County and Town. Mr. Jamerson stated that he has copies of seventeen letters and a resolution and ten letters were written from the County to the Town and six letters and a resolution written by the Town to the County along with one letter from the EDA to both the County and Town regarding this water line and he has read them all and he thinks it is time to put all of this letter writing aside. Mr. Jamerson stated that there is too much at stake here. Mr. Jamerson stated that there are a lot of opportunities out here and there are items that can be negotiated, but he does not feel these points can be negotiated with the entire Board and Town Council involved. Mr. Jamerson suggested forming a smaller committee to work on this. Mr. Jamerson stated that he has not seen where anything has been accomplished with all this letter writing and he is asking the Board to stop writing letters and start meeting and talking with the Town. Mr. Jamerson stated that he had also met with the Town and had spoken with the same message. Mr. Jamerson then thanked the Board for allowing him to come and speak.

Chairman Conrad next called on Ms. Alice Rockefeller and stated that Ms. Rockefeller would be providing the Board with information relating to the installation of lights at the convenience centers in order to keep them open longer hours during the winter months.

Ms. Rockefeller came forward and stated that she first wanted to take the opportunity to update the Board on the operating figures for the convenience sites. Ms. Rockefeller stated that at the same period last year they had hauled 603 tons of solid waste to the Regional Landfill and this year we have taken 371 tons, which is a 40 percent decrease in the amount of solid waste being hauled from the sites to the Regional Landfill. Ms. Rockefeller next updated the board on recycling and stated that last year at this time we were averaging about two tons of paper per month and in this quarter we have had 25 tons. Ms. Rockefeller next stated that in metal they were averaging seven tons a month and now are averaging about 11 tons a month and with cardboard last year they averaged 1 ton per month and this quarter we have had 13 tons. Ms. Rockefeller stated that when you put dollar figures on this it will equal to about a $104,000 increase in revenue due to increase in recycling and with the savings on solid waste disposal.

Ms. Rockefeller stated that she will now update the Board on the Convenience site lighting.

Ms. Rockefeller stated that the estimate given would include five sites needing two additional lights at each site.

Ms. Rockefeller stated that she had done a brief study at each of the sites to see how much traffic was coming in after 5 PM. In averaging the six sites not including the landfill during the month of August we were averaging 30 citizens between 5 PM and 7 PM during the month of September we averaged 20 citizens during the same time. Ms. Rockefeller stated that looking at these numbers and with it getting dark earlier she feels the numbers will continue to decrease. Ms. Rockefeller stated that two of her sites have reported lately after 6 PM they have had no one come to the sites. Ms. Rockefeller next stated that if the Board decided to keep the convenience sites open until 7 PM it would be an additional cost of $11,000 in salaries for the extra two hours that had not been budgeted for and also additional electrical cost which she has no way to figure what that would be.

Ms. Rockefeller called for questions from the Board.

Mr. Carter stated that she had given the Board some good information and thanked her, but then stated that he feels that the low amount of volume at the sites is due to knowing that the closure time is 5 PM. Mr. Carter stated that he feels that the price given for the lighting at the convenience centers is astronomical and he is not sure if we need to go out for quotes or what but the price given is not acceptable. Mr. Carter stated that in doing this however, it is wasting time and the Board may need to call a special meeting to make a decision on this.

Ms. Ferguson stated that the sites are open until November 1st until 7 PM and it will take us some time to get bids on this project.

Mr. Craft stated that he had only one complaint on the sites but he has received more compliments than complaints.

Mr. Tanner stated that he has had a couple of complaints but he is wondering if this will be necessary if people are not going to use the sites after dark.

Mr. Conrad stated that he has heard nothing but praise on the sites and also on the workers and he feels the situation is one hundred percent better that the previous.

Mr. Carter stated that he has also received lots of praises on the condition of the sites; however he is hearing that some of the attendants at the sites are not helping citizens.

Mr. Conrad stated that he had visited several sites and had witnessed the attendants always asking to help the citizens.

Ms. Ferguson stated that when the Board received complaints please contact the County Administrator and let her know the day and time and what site the situation occurred so that the complaint can be investigated.

Mr. Carter stated that he is hearing these complaints from all the sites.

Mr. Tanner asked if Ms. Rockefeller could continue to monitor these sites this month to see if the citizens continue to not come after dark. Mr. Tanner stated that he feels that citizens have adjusted to this time and we can revisit this issue again next month.

Mr. Carter stated that he did not have a problem with this; however he will start telling the citizens that are calling him to not call the Landfill Supervisor, but to call their respective Board member for their district.

Ms. Ferguson questioned if the Board still wanted staff to proceed with trying to get a lower bid on the lighting of the convenience centers?

It was the consensus of the Board to proceed with getting more bids for the lighting of the convenience centers.

Mr. Carter questioned what time table we are looking at to receive these bids.

Ms. Ferguson stated that we would have to get an ad in the paper and then receive bids so we will get this done as soon as possible.

Mr. Tanner stated that he had received a lot of positive comments on the sites.

Hearing no further comments from the Board, Chairman Conrad presented Administrative Item #1 – VDOT Resolution- Cornfield Lane and explained that VDOT is satisfied that all is in order and is asking the Board to adopt the enclosed resolution accepting Cornfield Lane, Route 1067 into the Secondary Road System for maintenance.

Chairman Conrad called for discussion. Mr. Carter made a motion to adopt the resolution accepting Cornfield Lane (Route 1067) into the Secondary Road System for maintenance. Mr. Tanner seconded Mr. Carter's motion. Hearing no comments, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #2 – Resolution of Appreciation for Barbara Williams upon her retirement. Chairman Conrad called for discussion.

Resolution Noting with Appreciation the Retirement of Barbara R. Williams from Her Position As Clerk of Circuit Court of Appomattox County

WHEREAS Ms. Barbara R. Williams retired on August 31, 2009 after 40 years of employment with Appomattox County, starting August 4, 1969 as Deputy Clerk of Circuit Court and being

appointed Clerk of Circuit Court on June 1, 1975 and being elected to and serving in that position until her retirement, and

WHEREAS, by virtue of her 40 years of employment, Ms. Barbara R. Williams has made a significant contribution to the fair, efficient and compassionate administration of the Court system of Appomattox County and the State of Virginia, and

WHEREAS, the Appomattox County Board of Supervisors wishes to express its gratitude and appreciation to Ms. Barbara R. Williams for her 40 years of dedicated service to Appomattox County.

NOW, THEREFORE, BE IT RESOLVED by the Appomattox county Board of Supervisors that the County Board hereby expresses its sincere appreciation to Ms. Barbara R. Williams for her 40 years of dedicated service to Appomattox County, with the last 34 years of that service as Clerk of the Circuit Court of Appomattox County, and

BE IT FURTHER RESOLVED that the County Board further wishes Ms. Barbara R. Williams a long and happy retirement, and

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this Resolution to Ms. Barbara R. Williams.

Mr. Tanner made a motion to adopt the Resolution of Appreciation for Barbara Williams upon her retirement. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

It was the consensus of the Board to invite Ms. Williams to the October 19th, 2009 Board of Supervisors meeting and present her with this resolution.

Chairman Conrad next presented Administrative Item #2A- Consideration of Adoption of the Solid Waste Ordinance changes. Chairman Conrad stated that a public hearing had been held on the proposed amendments and all is in order to move forward with a decision on adopting the changes as proposed. Chairman Conrad called for discussion.

Mr. Craft made a motion to adopt the Amendments of the Solid Waste Ordinance as presented and make them effective immediately. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Consent Agenda and called for discussion.

Approval of Bills

Approval of Minutes

June 22, 2009 – Special Called Meeting with EDA
July 7, 2009 – Special Called meeting
July 7, 2009 – Regular Scheduled Meeting

SUPPLEMENTAL APPROPRIATIONS:

Sheriff's Department

supplement by consent and appropriate the following:

3102-1001 Salaries/Wages	$5,550.00
3102-1002 Overtime	743.57
3102-2001 FICA	486.18
3102-2002 VRS	864.05
3102-3013 OSHA Mandates	10.00
3102-5503 Travel, Sustenance, Lodging	100.00

Animal Control

supplement by consent and appropriate $20.00 to 3501-5402 Food/Food Supplies in the Animal Control budget for a donation received.

Landfill

supplement by consent and appropriate the following:

4204-5401 Office Supplies	$35.07

for reimbursement received for over payment.

FUND TRANSFER:

Sports Complex Fund

transfer by consent $4,246.00 from the Sports Complex Fund to the General Fund to cover the attached bills.

Mr. Craft made a motion to adopt the Consent Agenda as presented. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Informational Items and called for discussion, hearing no discussion Chairman Conrad called for Supervisors Concerns.

Mr. Carter called for the status of the (TAA) the Trade Adjust Assistance.

Mr. Spencer stated that he had been working the EDA and Tom Perriello and we will have to have a SEDs document before we are eligible for a TAA. Mr. Spencer stated that Thomasville has already been declared TAA.

Mr. Spencer stated that if we have an older SEDs it would have to amended.

Mr. Spencer stated that we must have a certification before we can get help for the Community to be a TAA.

Mr. Carter stated that we know that we meet the requirements to be considered TAA and it is his understanding that money has been set aside and it is just getting it to the proper authority to get to the personnel.

Mr. Spencer stated Thomasville employees are already receiving TAA benefits.

Mr. Carter asked if there is a landfill pickup that we are not using.

Ms. Ferguson stated that all the equipment we have we are using at this time.

Mr. Carter stated that he had someone ask him about buying a vehicle if the County is not going to use them. Mr. Carter stated that he was asked about an S-10 pickup.

Ms. Rockefeller stated that they have a Chevrolet S-10 that they use to go from the bailer to the pit.

Ms. Ferguson stated that when the County is no longer using this vehicle, she would be glad to sell.

Mr. Carter stated that since the County is now moving forward with the Economic Development Coordinator that he feels everyone should know that this person is going to utilized with his/her experience and they will already have contacts and we need someone to come in to this position that we will not have to train.

Mr. Tanner asked if we had received any communication on the Williams Gas Pipeline fine and what those funds will be used towards.

Mr. Carter stated that it may be to the Boards advantage to adopt a resolution on this fine.

Mr. Roark stated that after working on this for several weeks, we have found that Williams Gas Pipe Line has already paid the fine and he understands through Periello's office that these funds are gone.

Mr. Roark stated that he understood that there is a grant from PHEMSA available and we may have a chance to get some of these funds.

Mr. Roark stated that in dealing with this issue he had found that the fine money would have to be used for pipeline safety and could not be used for any other project like the waterline.

Chairman Conrad presented the Upcoming Meetings.

Thursday, October 15, 2009 @ 6:00 PM
Annual Virginia Region 2000 Partnership Dinner
Bedford Welcome Center

Monday, October 19, 2009 @ 6PM
Public Hearing on Proposed Zoning Ordinance
Appomattox Community Center

Monday, October 19, 2009 @ 6:30 PM
Regular Scheduled Meeting
Appomattox Community Center

Monday, October 26, 2009 @ 6:30 PM
Joint Meeting with School Board
School Administration Building

Chairman Conrad called for other comments, hearing none, Mr. Carter made a motion to adjourn the meeting at 7:10 P.M. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:10 P.M.

Thomas H. Conrad, Chairman

On Monday, October 19, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a public hearing at the Appomattox Community Center, located at 220 Park Lane, Appomattox, Virginia.

Present:

Board of Supervisors
William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Present:

Planning Commission Members
Kevin O'Brien
Steve Conner
Calvin Tanner
George Almond
Marvin Mitchell
Susan Hudson
Barry Morris
Michael Wirth
Peter Zdgiebloski

Also Present:

Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney

Vicky Phelps – Administrative Assistant
Johnnie Roark – Planner

Absent: **Planning Commission Members**
Earl Dickerson

Chairman Conrad called the public hearing to order at 6:00 p.m. and explained that the purpose of this public hearing would be to receive public comment on proposed revisions to the zoning ordinance. Chairman Conrad stated that the Board would hear comments at tonight's meeting and there would not be a vote on this issue at tonight's meeting.

Mr. George Almond called the Planning Commission to order.

Chairman Conrad turned the meeting over to Mr. Johnny Roark, Planner.

Mr. Roark came forward and gave a brief explanation of why the County is proposing changes to the zoning ordinance.

Mr. Roark explained that the original zoning ordinance was adopted in 1988 and since that date has had some amendments, but a comprehensive review has never been done.

Mr. Roark explained that the new ordinances will improve administration, correct inconsistencies, and update processes. The new ordinance will help guide development to designated areas and assist in implementing the goals and objectives of the Comprehensive Plan.

Mr. Roark explained that the County has made slow and steady progress in an effort to implement the 2003 Comprehensive Plan with the Adoption of the Route 460 Corridor Management Plan in 2006; Adoption of Resource Conservation Plan with Future Land Use Map in 2007; the revision to the Subdivision Ordinance in 2007; the 2008 Citizen's Survey; and the 2008 Greenways Master Plan. Mr. Roark explained that the Zoning Ordinance and Zoning Map will be the main tools for the implementation of the Comprehensive Plan.

Mr. Roark next explained that the Comprehensive Plan has set the course for correcting growth management issues and in April the Planning Commission began working on this challenge as outlined in the Comprehensive Plan. In July of 2006 the Ordinance Committee began meeting to set a direction and framework. In October 2007 the Committee presented the draft to the full Planning Commission which was then reviewed page by page. In December, 2008 the draft zoning map was finalized and then in May, 2009, the Planning Commission's review was complete and the vote was to forward to the Board of Supervisors for consideration. Finally, in July 2009 the Board of Supervisors held a work session to review the planning commission's recommendations.

Mr. Roark reviewed the impact of the zoning changes.

Mr. Roark stated that currently over 95% of the County is zoned agricultural (A-1) with the proposed zoning map having approximately 83% zoned (A-1) the new zone which is rural residential (RR-1) being about 12%. Mr. Roark explained that the two zoned A-1 and RR-1 will go hand in hand, with (A-1) proposing you must have three acres for new development and with (RR-1) there will be a one acre lot size for development equaling out to approximately 95% of County zoned in a rural nature. Mr. Roark explained that the Residential Zone (R-1) would equal to about four percent and less than 1000 acres in commercial and Industrial equaling about one percent.

Mr. Roark had a copy of the current zoning map along with the proposed zoning map for citizens and the Board and explained the differences of the two maps and how the proposed changes would affect the County.

Mr. Roark turned the meeting back over to Chairman Conrad.

Chairman Conrad thanked Mr. Roark for his comments and explained the procedure for addressing the Board. Chairman Conrad then called for public comment.

Mr. Stanley R. Conklin came forward and stated his address as 864 Mountain Cut Road, Appomattox, Virginia. Mr. Conklin stated that he objected to this new ordinance and he wanted to see a stop to chopping up farm land and then explained that a contractor with this new ordinance will now have to purchase an even larger tract of land than what is now required and he does not understand the reasoning behind this.

Mr. Edward L. Surber came forward and stated his address as 1173 Humming Bird Lane, Appomattox. Mr. Surber wanted to know why this is being done and why do we need to change? Mr. Surber stated that taxes had been changed three years ago and went from $8000 on an acre of land to $24,000 and we did not have a vote on this. Mr. Surber stated that he feels it should be up to the people to vote on this and he feels that with the proposed changes, it is going to make it so that our young people will not be able to make it, and they may not be able to afford three acre tracts instead of the one acre tract. Mr. Surber also questioned why the difference in the road frontage of the 100 foot verses 200 feet? Mr. Surber also questioned who the members of the Planning Commission are and if they had asked any of the County citizens before deciding on these proposed changes?

Chairman Conrad reminded Mr. Surber that no questions could be ask of the Planning Commission, and this time was allotted for public comment only. Mr. Surber stated that he felt this should be put for a vote and allow County citizens to vote on the proposed changes.

Ms. Sandra Clapp came forward and stated her address as 1502 Cedar Tree Road, Appomattox, Virginia.

Ms. Clapp stated that she was not even aware of these changes until a few weeks ago. She stated that during the County reassessment she was told her property was worth a lot more due to road frontage and the price was raised per acre. She stated that with the

previous ordinance you could sell one acre lots at about a $30,000 profit and if you change the ordinance to three acres she will not be able to make $90,000 on her property. She explained that she would not be able to get as much value from her property as she was told by reassessment due to this new ordinance. Ms. Clapp stated that if you are trying to conserve property now would be the time for the Board to add timber land into land use. Ms. Clapp stated that the people who live along the 460 Corridor are not able to sell their house as a residence, she feels are also being affected by this because she does not see Appomattox County having enough businesses to fill up those areas from Prince Edward to Campbell County so she feels that they also have lost property value. Ms. Clapp stated that she feels some of these issues should be put on a ballet and let the citizens of the County vote on them. Ms. Clapp thanked the Board for allowing her to speak.

Andy Carroll came forward and stated his address as 208 Lucy Street, Appomattox, Virginia.

Mr. Carroll stated that he owns fifty acres of property on Redfield Road and he has received a copy of the zoning ordinance and he would like to offer some suggestions.

Mr. Carroll stated that he feels the ordinance is non-conforming, too restrictive and does not allow for expansion and he would like for the Board to revisit it.

Mr. Carroll stated that he had received his letter and did not think it would impact him and he later found out after getting a copy of the zoning map that his property was being rezoned and it was understated in his letter.

Mr. Carroll stated that his neighbor was not aware that his property was being rezoned from A-1 to R-1 and that it is a lot of farming land in this area that is actively being farmed.

Mr. Carroll stated that he objects to his property being rezoned from A-1 to R-1 and he ask that some additional time be taken on this and make sure that all land owners are aware of all the changes.

Mr. Bob McClenny came forward and stated his address as 4368 Forest Chapel Road, Pamplin, Virginia.

Mr. McClenny stated that if preserving agricultural land is the purpose of this draft ordinance it will be counterproductive because when you increase the minimum lot size it is going to eat up more of the land at a faster rate. Mr. McClenny stated that basically what this ordinance is going to do is take a larger portion of land out of production.

Mr. Clyde McReynolds came forward and stated his address as 1156 Hixburg Road, Pamplin, Virginia.

Mr. McReynolds stated that he had been trying to sell a piece of property for a year or longer and he hopes that this Comprehensive Plan will work toward helping clean up this area with their new ordinances. Mr. McReynolds stated that he appreciated receiving the letter letting him know of the proposed changes.

Mr. Don DeHart came forward and stated his address as 831 Robinson Road, Appomattox, Virginia.

Mr. DeHart stated that he owns two five acre tracts of property and he bought them with the intentions to put mobile homes on for family members and he feels this new ordinance will prevent him from doing this.

Mr. Hunter Marshall came forward and stated his address as 3399 Narrow Passage Road, Spout Spring, Virginia.

Mr. Marshall stated that he thinks communication needs to be better on what R-1; RR-1; and A-1 mean and how it affects the citizens.

Mr. Marshall stated that we have developers getting subdivision permits and pay same amount of taxes as we have to pay and then selling it for a profit and he feels that is wrong.

Mr. Marshall stated that the changing of road frontage is a devalue to property. This is dis-favorable to the owners of farmland and we need to know what options we have. Mr. Marshall stated you cannot raise crops on one acre or three acres for that matter.

Mr. James Munsee came forward and stated his address as 358 Maple Springs Lane, Appomattox, Virginia.

Mr. Munsee stated that he currently owns18.6 acres and it will change from A-1 to RR-1 and he raises horses, cows and hay and he farms the land and also owns a barn and his neighbors also own approximately ten acres have same complaints, but were not able to attend tonight's meeting because they are working. Mr. Munsee stated that he feels that seven miles from the Town of Appomattox is too far to be changing the zoning from A-1 to RR-1. Mr. Munsee stated that all the property owners in his neighboring area with twenty five acres or more are not being affected by this, but with his almost twenty acres he is being affected due to no road frontage. Mr. Munsee stated that he has no idea why this is being done.

Mr. Theodore McLaughlin came forward and stated his address as 3114 Forest Chapel Road, Pamplin, Virginia.

Mr. McLaughlin stated that he had bought property years ago to be able to separate and give to his children and with the new regulations he will not be able to separate and do this without buying more property.

Chairman Conrad called for other public comments.

Hearing no further comments Chairman Conrad closed the public hearing at 6:40 PM.

Thomas H. Conrad, Chairman

On Monday, October 19, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox Virginia.

PRESENT:
Samuel E. Carter – Appomattox Courthouse District
William H. Craft – Appomattox River District
Thomas H. Conrad – Falling River District
Gary W. Tanner – Wreck Island District
Russell H. Moore – Piney Mountain District

ALSO PRESENT:
Aileen T. Ferguson - County Administrator
J.G. Overstreet – County Attorney
John K. Spencer – Assistant County Administrator
Johnnie Roark - Planner
Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting of the Appomattox County Board of Supervisors to order at 6:43 p.m. and then delivered the invocation which was followed by the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the Agenda. Added to the agenda was Administrative Item#4A- Resolution – Central Virginia Livestock Storage Incentive Project and Administrative Item#4B- Application for School Energy Efficiency Improvement Projects.

Chairman Conrad called for Public Comment, hearing no public comment; Chairman Conrad called on Mr. Gary Christie, Executive Director Region 2000 Local Government Council and Bryan David, Executive Director Region 2000 Economic Development Council to come and speak with the Board. Chairman Conrad explained that Mr. Christie and Mr. David had requested time on the agenda in order to update the Board on Region 2000 activities.

Mr. Christie stated that he would be updating the Board on the partnership and local government activities and Mr. David would be speaking on economic development.

Mr. Christie handed out an annual report of the Partnership Organization to each of the Board members. Mr. Christie explained that the partnership organization is six independent groups that

all focus on economic development with different missions, budgets and different funding sources for the region. Mr. Christie stated that because we are a partnership located in the same fiscal offices we are able to share staff, equipment which lowers the cost and we are also able to communicate with one another better. Mr. Christie stated that they operate with a comprehensive plan to make sure they are all working towards the same goals. Mr. Christie stated they feel this partnership is an important asset in their effort for economic development. Mr. Christie stated that last year they received an award for their innovative and creativeness. Mr. Christie stated that this year the National Association of Developmental Organizations which is a group of planning districts nationwide which also awarded them for their innovativeness, creativity and good planning. Mr. Christie stated that they are very pleased with how successful their partnership has been.

Mr. Christie stated that the Local Government Council has been hard at work and he appreciated the opportunity to work with the County on the VDOT enhancement grant that would connect the Town with the County Industrial and Recreation Park. Mr. Christie stated that they are coordinating an Energy Conservation Grant in the region with the department of mines and minerals, and this will be a grant from stimulus money to provide non entitlement communities with energy conservation funds. Mr. Christie stated that they are working with the economic development administration out of Washington for a planning grant to receive funds for comprehensive economic strategy. He stated a CED's document is required before any community or region can get access to EDA and their federal department of commerce dollars. Mr. Christie stated that they have heard in January they will get a decision on whether they qualified to receive those planning grant funds. He stated that if they qualify to receive these funds we will start the process in twelve to eighteen months and that will give us a document that will position our region to get those federal funds for infrastructure work and other industrial technology that EDA's traditionally pay for.

Mr. Christie stated that in November they began meetings with the Regional Greenway Committee to advocate, educate and promote development of trails between counties.

Mr. Christie stated that they have had a successful workforce development program for youth. He stated that they took 100 youth and paid their salaries with stimulus money and gave them jobs throughout the summer and that twelve of those students who participated in this program went on to get full time jobs after the summer program ended.

Mr. Christie stated that the Regional Landfill is doing well and disposed of 230,000 tons of trash last year and continues to save money for the counties.

Mr. Christie stated that a regional transportation study is on the way and also they have a Regional Radio Board that serves Amherst, Bedford and Lynchburg and two downtown development projects with a million dollars each and also projects in Altavista and Brookneal.

Mr. Christie called for questions from the Board.

Mr. Carter questioned if individual counties could feed off of the regional SEDs. Mr. Christie stated that yes you would qualify to use this document individually or regionally.

Chairman Conrad next called on Mr. Bryan David to come and address the Board.

Mr. David stated that he and Mr. Christie have been visiting all the local government bodies to express thanks for the financial support and their very valuable time. Mr. David stated that he has been very impressed by this support.

Mr. David stated that he would give a brief overview of what is going on in the Region. He stated that the recession has affected us all. Mr. David reported that the unemployment rate for the County is at 7.1 percent and is now slowing down. Mr. David stated that the good news on the economy is that this region leads the state in job growth. Mr. David then passed out a study for each Board member to review and then he stated that the study validates that the region is making a difference.

Mr. David stated that we are at an interesting crossroads with economic development. We must have ready to go sites; we are moving into a more technology based economic development program and we need to know how to provide leadership to high school graduates who have interest in beginning a business.

Mr. David thanked the Board for allowing him to come and speak and then called for any questions.

Mr. Tanner stated that this Board is trying to put infrastructure in place and to please point people in the Appomattox direction.

Chairman Conrad thanked Mr. David and Mr. Christie and then presented Administrative Item #1- FY2010 State Reductions. Chairman Conrad stated that the County Administrator received information on September 21, 2009 regarding the Governor's FY10 Budget Reduction Plan Implementation. He stated that it is a lengthy document that does not leave any department unscathed. He stated that the County Administrator has provided a list of specific local funds that are being reduced in FY10 by additional amounts. Chairman Conrad called for discussion.

Mr. Craft stated that Ms. Ferguson is working with these departments.

Mr. Tanner stated he was in favor of letting the process go forward and have the County Administrator work with these departments and come back with a final total.

It was the consensus of the Board to table this item until final totals are received.

Ms. Ferguson stated that she has a full report on this issue at the office if any of the Board wants to review.

Chairman Conrad presented Administrative Item#2 – Request for Abandonment of an old section of Route 654. He stated that the Virginia Department of Highways Assistant Residency Administrator, Robert G. Brown had contacted the County Administrator with a request for abandonment of an old section of Route 654 that was discontinued for maintenance due to the

construction of State Project No. 0654-006-102-C502. He stated that if the Board chooses to consider approving this request we will need to follow the procedure as set forth in the Code of Virginia Section 33.1-157 and 33.1-158. Chairman Conrad called for discussion.

Mr. Tanner made a motion to intend abandonment of the old section of Route 654 and schedule a public hearing prior to the first meeting in December. Mr. Craft seconded Mr. Tanner's motion.

Mr. Carter questioned if we needed to correspond with the owner before making this decision.

Mr. Overstreet gave an explanation as to why the abandonment of Route 654 is being handled in a different manner.

Ms. Ferguson stated that VDOT had told her that she needed to get the Board to handle their part of this abandonment and the rest would be handled by them.

Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#3- Contract award for CVCC Phase III and stated that bids were opened on October 13, 2009. He stated that eight bids were received, with J.E. Jamerson being the low bidder in the amount of $139,700.00. Chairman Conrad called for discussion.

Mr. Carter stated that he was glad to see us moving forward and then made a motion to award the contract for CVCC Phase III the lowest bidder J.E. Jamerson in the amount of $139,700.00. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#4 – Contract Award for CVCC Parking Lot and explained that the repaving of two portions of the parking lot at the rear of CVCC was included in Alternate Bids A & B when the EDA bid out a 388 feet extension of Industrial Park Lane. He stated that bids were opened on October 8, 2009 and the lowest base bid was accepted by the EDA that evening. The lowest bidder being Marvin Templeton & Sons submitted Alternate A & B prices totaling $24,250.00 to repair and repave the parking lot from the loading dock at the old kitchen to the auditorium wall. Chairman Conrad called for discussion.

Mr. Tanner stated that this needs to be done before someone gets hurt.

Mr. Craft made a motion to accept the Alternate A & B bid and authorize Marvin Templeton and Sons to pave the above described portion of the CVCC rear parking lot at the price of $24,250.00. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #4A- Resolution – Central Virginia Livestock Feed Storage Incentive Project and explained that Bruce Jones, Extension Agent, has approached the County requesting that we participate in a grant application with other localities designed to provide cost-share assistance for the construction of hay storage barns, grain bins, feed bins or commodity storage sheds. He explained that there is no cost to the locality except Mr. Jones' time. Chairman Conrad called for discussion.

Mr. Craft stated that this would be beneficial to the farmers.

Mr. Tanner made a motion to adopt the resolution to participate with the joint grant application for feed storage. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none; he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

RESOLUTION OF AUTHORIZATION
AGRICULTURAL FUND GRANT APPLICATION

CENTRAL VIRGINIA LIVESTOCK FEED STORAGE INCENTIVE PROJECT

WHEREAS, Appomattox County recognizes the importance of livestock agriculture to the economy of Appomattox County and the stresses upon our agriculture industry; and

WHEREAS, Appomattox County recognizes that stored feed represents the number one cost of production in a livestock operation; and

WHEREAS, proper storage and bulk purchasing can result in significant improvements in efficiency and cost savings, and

WHEREAS, Appomattox County desires to participate with other Southside Virginia Tobacco Communities in the Central Virginia Livestock Feed Storage Incentive Project.

NOW, THEREFORE, BE IT RESOLVED, the Appomattox County Board of Supervisors does authorize the submission of an application by Campbell County to the Virginia Tobacco Indemnification and Community Revitalization Commission for the purpose of obtaining grant funding to provide for a livestock feed storage incentive to assist livestock producers.

The vote was: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#4B- Application for School Energy Efficiency Improvement Projects and explained that on October 6, 2009 a memorandum was sent from the State Treasurer and the Superintendent of Public Instruction notifying local governments and school division superintendents of upcoming competition for allocation of qualified school construction bonds. He stated that last week we were notified that the application for participation in the program is due November 11, 2009. This program is a no interest bond program that is being offered to finance energy efficiency improvements and renewable energy

retrofits to existing public school buildings. Ms. Ferguson stated that in speaking with Mr. Perrow we have at the least approximately one million dollars in boiler replacements, roof replacements, etc. he feels we will qualify for these funds. Chairman Conrad ask if the Board was interested in filing an application to see if we qualify for funding under this bond program?

Ms. Ferguson stated that she had contacted Davenport, but they have not responded back, but it is going to require some expenditure of funds for applications to get in place.

Chairman Conrad stated that pursing this is in the County's best interest.

Mr. Craft made a motion to proceed with applications for the bond program for school energy efficiency improvements. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none; he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Consent Agenda and called for discussion.

CONSENT AGENDA

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS

Sheriff's Department

supplement by consent and appropriate the following:

3102-1002 Overtime	362.40
3102-2001 FICA	30.02

Building Inspections

supplement by consent and appropriate $268.00 to 3401-5411 Books in the Building Inspections budget for reimbursement for Code Books.

Animal Control

supplement by consent and appropriate $25.00 to 3501-3004 Repair and Maintenance in the Animal Control budget for a donation received.

CSA

supplement by consent and appropriate the following:

5310-3001 Professional Services	$17,800.16

for reimbursement received for over payment.

Donations

supplement by consent and appropriate $52.25 to 7109-5631 AWAG for monies received from animal friendly license plate purchases in Appomattox County.

Mr. Moore made a motion to accept the Consent Agenda as presented. Mr. Tanner seconded Mr. Moore's motion. Chairman Conrad called for discussion, hearing none; he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye

Chairman Conrad presented the Information Items and called for discussion.

Mr. Tanner stated that he appreciated the excellent effort provided by Mr. Spencer on the Tobacco Commission Southside Economic Development Grant Committee.

Chairman Conrad called for Supervisor Concerns, hearing none; he presented the upcoming meetings.

UPCOMING MEETINGS

Monday, October 26, 2009 @ 6:30 PM
Joint Meeting with School Board
School Administration Building

Monday, November 2, 2009 @ 6:30 PM
Regular Scheduled Meeting
County Administration Building

Wednesday, November 4, 2009 @ 6:00 PM
Visioning Workshop
CVCC- Room 108

Chairman Conrad reminded the Board of the CVCC Ground Breaking for Culinary Arts.

Chairman Conrad called for any other items for discussion. Hearing none; Mr. Craft made a motion to adjourn the meeting at 7:20 PM. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:20 PM.

Thomas H. Conrad, Chairman

On Monday, October 26, 2009 at 6:00 p.m. the Appomattox County Board of Supervisors held a special called meeting in the Appomattox County Administration Office, Conference Room, located at 153A Morton Lane, Appomattox, Virginia.

Present: Mr. Thomas H. Conrad – Chairman – Falling River District
Mr. William H. Craft –Appomattox River District
Mr. Gary W. Tanner – Wreck Island District
Mr. Samuel E. Carter – Courthouse District

Absent: Mr. Russell H. Moore – Piney Mountain District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps- Administrative Assistant

Chairman Conrad called the special meeting of the Appomattox County Board of Supervisors to order at 6:00 p.m. and stated the purpose of this special called meeting would be to enter into closed session in accordance to Section 15.2-1418 (personnel) of the Code of Virginia as amended.

Mr. Tanner made a motion to enter into closed session at 6:02 p.m. in accordance to Section 15.2-1418 to discuss personnel matters. Mr. Craft seconded Mr. Tanner's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Mr. Craft made a motion to return to regular session at 6:15 p.m. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

Chairman Conrad read the Certification for Closed Session:

WHEREAS, the Appomattox County Board of Supervisors has convened a closed session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors. Chairman Conrad called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

No action was taken from the Closed Session.

Mr. Craft made a motion to adjourn the special called meeting at 6:16 p.m. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

The meeting adjourned at 6:16 p.m.

Thomas H. Conrad, Chairman

On Monday, October 26, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held a joint meeting with the Appomattox County School Board, located on 316 Court Street, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Gary W. Tanner – Wreck Island District

Absent: Russell H. Moore – Piney Mountain District

Also Present: Aileen T. Ferguson – County Administrator
Vicky Phelps – Administrative Assistant

Present: Appomattox County School Board
J. Wesley Williams, Chairman
Amy M. Martin
Bobby K. Waddell
R.W. Mitchell
Stacy C. Garrett

Also Present: Dr. Dorinda Grasty, Division Superintendent
Brenda F. Gowin
William Perrow

Mr. Wesley Williams, Chairman of the Appomattox County School Board, called the School Board meeting to order at 6:00PM.

Thomas Conrad, Chairman, Appomattox County Board of Supervisors, called the Board of Supervisors to order at 6:01PM.

Dr. Dorinda Grasty, Superintendent, welcomed everyone to the meeting and began with a power point presentation.

The Power Point presentation began with student demographic data.

Dr. Grasty explained that the graduating class of 2009 consisted of 148 total students with 93 students receiving advanced diplomas; 46-students receiving standard diplomas; 8 students receiving modified standard diplomas and one student who received their GED. In this class upon graduation 57-students planned to go to a four year college; 46-students planned to go to a two year college; 14-students planned to attend a trade school; six students planned to enlist in the military; two students planned to enter into the workforce; two students will be attending the Woodrow Wilson Rehab Center and eleven students were undecided.

Dr. Grasty gave the total average daily membership (ADM) as of October 20, 2009 as being Appomattox Primary School having 458 students; Appomattox Elementary School 552 students;

Appomattox Middle School 541 students; and Appomattox County High School 673 students enrolled. The total enrolled students being 2,224.

Dr. Grasty explained the 4-Year Old at Risk Program which is called Bright Beginnings and stated that this is a very valuable program that is housed at the Appomattox Primary School. She explained that there are three classes of eighteen students (54 total) with three teachers and three aides. Dr. Grasty explained that these students do not count towards the ADM.

Dr. Grasty next discussed the total amount of students enrolled in Career and Technical Education (CTE) Completers for 2009. This program includes Agriculture Machinery; Agriculture Production; Horticulture Science; Veterinary Science; Floral Design; Business; EMT; Nursing Assistant; General Marketing; Drafting; Robotics; Automotive Services; Early Childhood; Family and Human Services; Culinary Arts.

Dr. Grasty next discussed the required staff for Special Education and explained that there are a total of 19-teachers for Special Education; eight instructional aides for Special Education; one school psychologist; one sign language interpreter; Dr. Grasty also stated that they also employ an occupational therapist, physical therapist; speech therapist; vision instructor; and an autism specialist and then stated that these staff serve 315 students as required by federal and state law.

Dr. Grasty explained that they currently have 188 full-time teaching positions; 22-new teachers; 75 –teachers that hold a masters degree. Dr. Grasty explained that the attrition rate for teacher for 08-09 was 12.5%. Dr. Grasty also stated that thirteen teachers retired last year and twelve teachers resigned. Dr. Grasty explained that Appomattox County Schools have 58 teachers with 0-4 years experience; 40-teachers with 5-9 years experience; 29-teachers with 10-14 years experience; 18-teachers with 15-19 years experience; 14-teachers with 20-24 years experience; and 29-teachers with 25 or more years experience.

In other staff demographics Dr. Grasty explained that there are currently 46- bus drivers; 3-crossing guards; 2- mechanics; 18-custodians; 24-clerical; 4-maintenance; 4-nurses; 39-instructional assistants; 4-principals; 5-assistant principals; 3-directors; and 4- supervisors.

Next Dr. Grasty discussed the accomplishments for each of the schools.

The accomplishments for Appomattox Elementary School being that they are fully accredited and met AYP; Awarded National Distinguished Title I School; Awarded Virginia Board of Education Excellence Award; 95% proficiency average on SOL's; Professional Partnership with Longwood University; Increased writing scores by ten points between 2007-2008 and 2008-2009; National and local spelling bee placements within the top three; dedication of new playground equipment and partnership with the Jump Rope for Heart which raised $3,300.00.

The accomplishments of the Appomattox Primary School being fully accredited and met AYP; 93% of students reading on grade level; 94% of students made one or more years gain in reading; 468 students recognized for outstanding achievement and 30 or more students earned 75 or more points in Accelerated Reader and got to throw pies at the administrators.

The accomplishments of the Appomattox Middle School being fully accredited; initiated Olweus Bullying Prevention Program; initiated new Encore schedule; hosted a Career Fair with more than twenty vendors; completed the first years of Prep. Academy with 24 students getting back on academic track; 400 students recognized for outstanding achievement in academic classes; staff met regularly for common planning; initiated Principal for a Day with 24 students; reward program at the local skating rink.

The accomplishments of the Appomattox High School being fully accredited; Regional and/or State post season play in football; wrestling; boys basketball; golf; girls basketball; competition cheer; track; Academic Competition for Excellence (ACE) and boys tennis; six students won state titles in track; renovation of outdoor athletic facilities; scholarship funds received by graduating class $316,434.00; 22-students placed at the CVCC Tech Fair; four students placed third or higher at DECA competition; eleven students placed in Central Virginia Livestock Show and five students placed second or above in FFA competitions.

Dr. Grasty explained that a new challenge they are facing this is being the Flu preparations and then explained that the flu mist had been administered to 800 students in September, the HINI vaccine was administered to 900 students in October; they are currently monitoring the absentee rate daily; additional cleaning is taking place along with Nurses providing hygiene clinics to students.

Dr. Grasty next discussed the CIP Projects that has been completed over the past two years. The Appomattox Middle School Roof, trim and gutters at $55,000; the Appomattox County High School football and practice fields at $350,000; the Appomattox County High School baseball field at $215,000; the Appomattox Middle School football field at $12,000; and the two modular classroom at the high school costing $96,000. Also, other capital improvements over two years included the High School parking lot $13,000; Maintenance – two used trucks $14,000; Maintenance-two trucks with service bodies $47,000; Maintenance-one used dump truck $15,120; Transportation – two school buses $92,000; Food Services at Appomattox Primary School – steamer $12,000; Scoreboards - $40,000; Video security systems - $130,000; Gym Lighting- $7,000.

Dr. Grasty next explained the American Recovery and Reinvestment Act of 2009 (ARRA) and stated that they would be applying for ARRA school construction bonds for energy efficiency improvements to existing buildings or for the installation of renewable energy equipment on school grounds. Dr. Grasty explained that the application is due on November 11, 2009. Some items for the ARRA Energy Efficiency Bonds will be boilers for the Primary and Middle School; occupancy sensors for lighting for all schools; air conditioning for the High School auditorium and gas heating units for the High School.

Dr. Grasty explained the (PPEA) Public-Private Education Facilities and Infrastructure Act. She stated that this is grants the School Board have authority to create as a public-private partnership for development of projects in order to provide the projects in a timely or costly affective fashion. She stated that more information will be coming on this by November 2, 2009.

Dr. Grasty discussed the Budget Predictions for 2010-11 and stated the Governor will release information December 18, 2009. The information should be to the school divisions by January 2010, but stated that the preliminary predictions appear to be bleak.

Dr. Grasty next discussed some budget challenges for 2010-2011 being salary increases for staff; renovation needed at the Primary and High School; building maintenance, fuel cost; Virginia Retirement System- unknown; Health Insurance – unknown (but rose 24.4% from 2008-2009); radio system has to be changed as required by FCC; technology- updating phone system; technology – complete redundancy on computer system; technology- integration in classrooms; other challenges being funding cliff that will be created in 2010-11 by Stimulus Funds from 2009-10; maintaining accreditation with less funds while the bar rises upward on required SOL pass rates; the challenge of doing more with less.

Dr. Grasty thanked the Board for meeting with them and also for supporting the students and staff.

Dr. Grasty then called for questions and comments from the Board of Supervisors.

After hearing no further discussion from the School Board and the Board of Supervisors Mr. Craft made a motion to adjourn the joint meeting at 7:07 PM. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye.

The joint meeting adjourned at 7:07 PM.

Thomas H. Conrad, Chairman

On Monday, November 2, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held a regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District
	Samuel E. Carter – Courthouse District
	Thomas H. Conrad – Falling River District
	Russell H. Moore – Piney Mountain District
	Gary W. Tanner – Wreck Island District
Also Present:	Aileen T. Ferguson- County Administrator
	John K. Spencer – Assistant County Administrator
	J.G. Overstreet – County Attorney
	Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting to order at 6:30 p.m. Mr. Moore delivered the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Chairman Conrad added under Appearances: Mr. Bill Barbour – Jet Broadband and also added to the Agenda was Administrative Item #5A – Bids for installing lighting at Convenience Centers; Administrative Item#5B- Broadband Authority Public Hearing.

Chairman Conrad called for public comment; Mr. Earl Dickerson came forward and stated his address as 298 Fairway Place, Appomattox, Virginia.

Mr. Dickerson stated that he wanted to bring some information to the Board that they may find of interest. Mr. Dickerson stated that he was invited to participate in an open house for the IDA in one of our neighboring counties where they brought in the full complement of the Virginia Economic Development Partnership who made a presentation on the opportunities in that particular county. Mr. Dickerson stated that he also made a presentation on the work that had been performed by Hurt and Proffitt and they then had lunch. Mr. Dickerson stated that he ate lunch with three representatives from the Virginia Economic Development Partnership each of those representatives were involved in a different aspect of economic development or industrial development and his comments were based on the times we are in and things being slow. They stated that they are busier than they have ever been working with potential industrial clients and places to put them in the state of Virginia. Mr. Dickerson stated that he would love to see our industrial park thrive and in his opinion, we need an Economic Development Director who can put together the best program possible in front of the people in Richmond and that is who you need to be talking with. Mr. Dickerson encouraged the Board that when picking the person to be our Economic Development Director that they pick the most qualified person that is out there, because there is activity in the economic development world. Mr. Dickerson thanked the Board for allowing him to come and speak. Chairman Conrad called for anyone else who wished to speak during public comment time. Hearing no other comments, Chairman Conrad called on Ms. Barbara Williams to come forward to be recognized for her years of service as Circuit Court Clerk.

Chairman Conrad presented the following framed resolution to Ms. Williams:

Resolution Noting with Appreciation the Retirement of Barbara R. Williams from Her Position As Clerk of Circuit Court of Appomattox County

WHEREAS Ms. Barbara R. Williams retired on August 31, 2009 after 40 years of employment with Appomattox County, starting August 4, 1969 as Deputy Clerk of Circuit Court and being appointed Clerk of Circuit Court on June 1, 1975 and being elected to and serving in that position until her retirement, and

WHEREAS, by virtue of her 40 years of employment, Ms. Barbara R. Williams has made a significant contribution to the fair, efficient and compassionate administration of the Court system of Appomattox County and the State of Virginia, and

WHEREAS, the Appomattox County Board of Supervisors wishes to express its gratitude and appreciation to Ms. Barbara R. Williams for her 40 years of dedicated service to Appomattox County.

NOW, THEREFORE, BE IT RESOLVED by the Appomattox county Board of Supervisors that the County Board hereby expresses its sincere appreciation to Ms. Barbara R. Williams for her 40 years of dedicated service to Appomattox County, with the last 34 years of that service as Clerk of the Circuit Court of Appomattox County, and

BE IT FURTHER RESOLVED that the County Board further wishes Ms. Barbara R. Williams a long and happy retirement, and

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this Resolution to Ms. Barbara R. Williams. Vote: Mr. Carter, aye; Mr. Craft, aye; Mr. Conrad, aye; Mr. Moore, aye, Mr. Tanner, aye.

Ms. Williams thanked the Board for their support and stated that it has been an honor and privilege to serve as the Circuit Court Clerk and to work with the present Board of Supervisors and also the Board members that she has worked with in previous years. Ms. Williams stated that she could not thank the Board or County Administration enough for their support over the years and stated that she could not remember a time when she asked for something that her office needed that the Board did not come to her rescue. Ms. Williams again thanked the Board.

Chairman Conrad called on Mr. Bill Barbour and Allan Ritz from Jet Broadband to come forward and update the Board on Jet Broadband activities.

Mr. Barbour stated that he is new to this position with Jet Broadband and also stated that they have a new COE and President who started in May of 2009. Mr. Barbour stated that many changes have been put forth since that time to improve both the picture quality and the reliability of the plan. Mr. Barbour stated that since taking over this property from another operator, it has been noticed that there has been a fair amount of neglect due to a lack of capital. Because of this, in May they began to enhance the plant and hope to soon be able to offer a phone service in the next couple of weeks and will enhance other services that they continue to offer. Mr. Barbour also stated that in May, they increased the internet speed and hopes to increase this again in the near future.

Mr. Barbour stated that they recognized that this is a partnership and they respect this and they are determined to provide reliable services and hope to continue picking up the customer base which will also help the County. Mr. Barbour stated that they are working to get the plant in the condition that everyone expects. Mr. Barbour next stated that they maintain the call center in

Rustburg on Monday – Friday from 8AM- 8PM and on Saturday 8:30AM- 5PM and after hours calls go to a third party provider. Mr. Barbour then called for questions from the Board.

Mr. Carter congratulated them for a job well done since the change over.

Mr. Craft asked if they are finished with Appomattox updates. Mr. Barbour stated these updated are still in progress.

Mr. Barbour stated that they will strive to be a better representative to the County.

Chairman Conrad thanked Mr. Barbour and Mr. Ritz for coming and updating the Board on Jet Broadband activities.

Chairman Conrad stated that the Board would proceed with Administrative Items until all members of the School Board were in attendance before beginning with the program on the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA).

Chairman Conrad presented Administrative Item #1 – Resolution endorsing the FY2010-2011 Transportation Grant and stated that this resolution will be endorsing the next transportation enhancement grant for the Appomattox Heritage and Recreational Trail. Chairman Conrad stated that the Board had already approved $265,000 for design and construction and will need $500,000 for completion of the project. Chairman Conrad called for discussion.

ENDORSEMENT RESOLUTION BY APPOMATTOX COUNTY, VIRGINIA,

FOR SUBMITTAL TO THE

VIRGINIA DEPARTMENT OF TRANSPORTATION FOR A

FY 2010-2011 TRANSPORTATION ENHANCEMENT GRANT

WHEREAS, Appomattox County recognizes the importance of highlighting the unique cultural, historic, and natural resources of the community to ensure the quality of life for its residences now and in the future; and

WHEREAS, Appomattox County, in partnership with the Town of Appomattox , the Appomattox Court House National Historical Park, and citizen stakeholders developed and approved The Appomattox Heritage and Recreational Trail Plan – A Vision of Connectivity as guiding document create alternative transportation corridors in the community; and

WHEREAS, the Appomattox County adopted the Appomattox Greenways Masterplan – A Vision for your Future as a detailed plan that highlights on-road and off-road connections to key resources in the community; and

WHEREAS, Appomattox County approved The Region 2000 Greenway, Blueways, and Trail Plan, a regional preservation, trail, and alternative transportation plan; and

WHEREAS, the Appomattox County Economic Development Authority approved the use of EDA property for the utilization of a trail to provide for safe transportation of pedestrian to the Appomattox County Community Park; and

WHEREAS, the Commonwealth Transportation Board has provided support for the development of a pedestrian trail that will connect resources within the Town of Appomattox to the Appomattox County Community Park through two awarded Enhancement Grants; and

WHEREAS, Appomattox County is currently under contract and beginning the design phase of the approximate 1.6 mile trail to connect community resources;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Board of Supervisors of Appomattox County hereby requests the Commonwealth Transportation Board to continue to support the development and construction of the Appomattox Heritage Trail, a multi-use trail; and

BE IT FURTHER RESOLVED, that the Appomattox County Board of Supervisors hereby agrees to pay a minimum of 20 percent of the total cost for construction of this project, and that, if Appomattox County subsequently elects to cancel this project it hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation.

Mr. Carter stated that this is the time to move forward and made a motion to adopt the Resolution endorsing the FY2010-2011 Transportation Grant. Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#2 – Library Board Appointment and stated that enclosed is a letter recommending that Ms. Dorothy Van Opstal be reappointment to the Jamerson Memorial Library Board for a second term. Chairman Conrad called for discussion.

Mr. Craft made a motion to appoint Ms. Dorothy Van Opstal to the Jamerson Memorial Library Board for a four year term beginning July 1, 2009. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#3 – Holiday Request and stated that the Director of Social Services and several Constitutional Officers have requested an additional holiday on December 31, 2009 in observance of New Years. Chairman Conrad called for discussion.

Mr. Tanner made a motion to grant December 31, 2009 as an additional holiday in observance of New Year's. Mr. Moore seconded Mr. Tanner's motion. Chairman Conrad called for

discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#4 – 460 Water Line Project and stated that County Administrator had received a letter from Bart Van Nieuwenhuise, Appomattox Town Manager and a resolution from Appomattox Town Council concerning issues relating to the 460 water line project. Chairman Conrad called for discussion.

Mr. Carter stated that he felt it would be prudent if the Board would table this issue for further study.

Chairman Conrad stated that when this is brought up for discussion again we need to make a determination on what we are looking for and if we want to do anything or not.

It was the consensus of the Board to table this item until after the New Year.

Chairman Conrad presented Administrative Item #5A- Bids for installing lighting at Convenience Centers and stated that enclosed are bid amounts received for installing lighting at the convenience centers, and an update on the average amount of citizens using the convenience centers after 5PM for the month of October. Chairman Conrad called for discussion.

Mr. Craft stated that the Board does not have funds for this at this time.

Mr. Tanner stated that he feels there is a learning curve and the public is doing well now with the hours we have in place and the Landfill is open on Wednesdays for emergencies. Mr. Tanner stated that he understands that this is not convenient but it is viable and he would like to see this issue tabled until we have had an opportunity to work on the new budget.

Chairman Conrad stated that we are still in early stages and it will be a good idea to table until the new budget year.

Mr. Carter stated that this price is astronomical and what would be wrong in using a dust to dawn light?

Ms. Ferguson stated that we are working on this but it is taking time dealing with power companies but she does feel it would be a cheaper route.

It was the consensus of the Board to table this item until a later date.

Chairman Conrad presented Administrative Item #5B- Broadband Authority Public Hearing and stated that on October 29, 2009 the Tobacco Commission approved $50,000 for the creation of a Broadband Authority for Appomattox County. He explained that in order to allow possible private sector partners to qualify for stimulus funds, we need to move as quickly as possible

toward the creation of this authority. He stated the first step is to hold a public hearing on a resolution creating the Authority. Chairman Conrad called for discussion.

Mr. Tanner stated that he had received a call today of a citizen expressing interest and he feels that we need to pursue this.

Mr. Tanner made a motion to set a public hearing for December 21, 2009 at 7PM to receive comments on creating the Authority. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Consent Agenda and called for discussion.

CONSENT AGENDA

Approval of Bills

SUPPLEMENTAL APPROPRIATIONS:

Victim/Witness

supplement by consent and appropriate the following:

2220-1001 Salary	$1,171.00
2220-2001 FICA	90.00
2220-5401 Office Supplies	250.00

This is necessary due to additional hours required and additional funding received from the State and Federal government.

911

supplement by consent and appropriate $915.00 to 3606-3002 Professional Services for reimbursement for refund received.

Library

supplement by consent and appropriate the following to the Library for donations, stamp sales, office supply sales, book replacement fees, and book sales.

7301-5401 Office supplies	575.15
7301-5411 Books	276.19
7301-5415 Summer Reading	50.00
7301-5414 Pamplin Library	105.60

LINE ITEM TRANSFERS:

County Administration

approve the following line item transfer from operating reserve in the Board of Supervisors budget to the Maintenance budget to cover various expenses:

$17,451.00 from 1101-5804 Operating Reserve to the following:

1101-2011 Workers Compensation	$3,911.00
4302-3010 Professional Services	8,145.00
4302-3010 Landscaping/Mowing	5,395.00

FUND TRANSFERS:

Sports Complex Fund

transfer by consent $1,520.00 from the Sports Complex Fund to the General Fund to cover the listed expenditure.

Courthouse Security Fund

transfer by consent $44,635.00 from the Courthouse Security Fund to the general fund for Courthouse Security.

Mr. Carter made a motion to adopt the Consent Agenda as presented. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the information items and called for discussion.

Chairman Conrad called for Supervisor Concerns, hearing no comments, Mr. Overstreet; County Attorney stated that he may be able to conduct the information on the closed session in open session. It was the consensus of the Board to allow Mr. Overstreet to continue with this issue in open session.

Mr. Overstreet stated that the County is involved in some litigation mainly because the County was named the beneficiary in a will. Mr. Overstreet stated this is the residuary clause of a will. A gentlemen died in 1992 and left his home and real estate to a couple and the will stated that as long as the couple remained married and lived together on the property for fifteen years, it would be theirs, if this did not take place the executor was to sell the property and divide among the beneficiaries one being the Public Library Fund for Appomattox. Mr. Overstreet stated that he had filed response on behalf of the County to the law suit and a hearing was held last week and the County has gained ten percent of the value, but some restorations had been made by the owner and the judge will be giving credit to the owner towards those restorations. Mr. Overstreet stated that he would keep the Board abreast of happenings. Mr. Overstreet stated that he is waiting on more information on restorations that have been made. He stated that he is just reporting the pending litigation and will report again after more information is received.

Chairman Conrad next called on Mr. Bill Gillespie to come and speak with the Board and the School Board members in attendance *(in attendance from the School Board are Dr. Dorinda Grasty, Superintendant; William Perrow; Bobby Waddell; Stacy Garrett; Amy Martin; Robert Mitchell; Wes Williams*) to explain the PPEA process.

Mr. Gillespie came forward and thanked the Board for allowing him to come and speak. He stated that he wanted to speak about Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA). He stated that he thinks this is one of the most user friendly processes for local government that he has worked with. He stated that the PPEA gives an opportunity for the School Board and the Board of Supervisors to work together on a construction project which usually does not happen. He stated that the PPEA is completely transparent and that means it is a lot more flexible to the School Board and Board of Supervisors in terms of what you get for

your money, you have a lot more say in the design and what goes into it and what your expectations are and more control of the cost.

Mr. Gillespie began his power point and stated that the first thing that needs to be done is the local School Board needs to establish PPEA guidelines. There are two types of proposals one being solicited which you advertise, and the unsolicited which is an unadvertised request. The School Board may review proposals or designate a working group. He explained that proposals are submitted in two parts a conceptual phase and in that is two parts you get information on the proposing team credentials and the second part they would provide a schematic design. You then proceed to the detailed phase. You will be able to review criteria for both phases in the law and proposals must be reviewed by the local jurisdiction for compliance with zoning/comprehensive plan etc. He explained that the School Board may charge fees for outside review of proposals and FOIA applies to all proposals unless information is identified as proprietary by the proposer. He stated that the schematic design and cost is not FOIA. If the Board decides to accept an unsolicited proposal they must post public notice and open the window for additional proposals for 45 days. The Board will then review proposals and consider how to proceed whether to use competitive seals bids or competitive negotiation, which is used mostly and this gives a lot of flexibility for negotiation. The Board will then decide which proposal to select and then will enter into an interim or comprehensive agreement after local government approval. Mr. Gillespie next discussed the design and construction process and pointed out that no County dollars have been spent up to this point. He stated that the educational specifications set the design criteria. Once you get at the 35% stage you have the basic footprint and you can change basically anything. Once you reach the 65% stage you receive additional details to the basic footprint and then once you reach the 95% stage you will have a final review and you are ready for bid. After each of these stages you will have a formal meeting to approve. Once you get to the 95% stage you will again have a formal meeting for approval and then put out for bid.

Mr. Gillespie next discussed the benefits of the PPEA. He stated that all bids, materials and equipment reviewed and approved by owner and the guaranteed price is up front. No change orders once the scope is agreed upon and the owner can audit construction cost and share in savings. The PPEA significantly shortens construction time and creates a partnership between the contractor, architect and the owner. This in turn creates an environment that fosters creative design and cost effective construction methods.

Mr. Gillespie called for questions from either the School Board or Board of Supervisors.

Dr. Grasty thanked Mr. Gillespie for the very informative presentation and also thanked the Board of Supervisors for the invitation to attend this meeting.

Mr. Conrad thanked Mr. Gillespie for his presentation.

Chairman Conrad presented the upcoming meetings.

UPCOMING MEETINGS
Wednesday, November 4, 2009 @ 6:00 PM
Joint Meeting with Appomattox and Pamplin Town Councils
CVCC

Monday, December 7, 2009 @ 6:30
Regular Scheduled Meeting
Appomattox County Administration Office

Chairman Conrad called for further discussion.

Hearing no further discussion, Mr. Carter made a motion to adjourn the meeting at 7:46 PM. Mr. Tanner seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:46PM.

Thomas H. Conrad, Chairman

On Monday, November 4, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held a joint visioning meeting with the Appomattox Town Council, Town of Pamplin, the Economic Development Authority and the Appomattox Planning Commission at Central Virginia Community College, Room 108, located at , Richmond Highway, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Samuel E. Carter – Courthouse District Thomas H. Conrad – Falling River District Gary W. Tanner – Wreck Island District
Absent:	Russell H. Moore – Piney Mountain District
Also Present:	Aileen T. Ferguson- County Administrator

John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

The Board of Supervisors participated in creating a unified vision for the community with representation from the leadership of the community involved in the discussion.

The Board welcomed Hannah Twaddell who has more than 20 years of experience in regional and local planning, with an emphasis on transportation, land use, community design, and public participation. Hannah served for fourteen years as chief for the Thomas Jefferson Planning District Commission and the Charlottesville-Albemarle Metropolitan Planning Organization in Virginia.

The visioning began with an introduction of each participant present and they also stated their personal vision.

There was discussion of a common theme among all present.

Each participant was put in a group to work on an group exercise and then each group presented their vision for the future of Appomattox County and Town.

The meeting closed at 9:00 PM

Thomas H. Conrad, Chairman

On Monday, December 7, 2009 at 6:15 p.m. the Appomattox County Board of Supervisors held a Public Hearing at the Appomattox County Administration Office, located at 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson- County Administrator

John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Absent: Russell H. Moore – Piney Mountain District

Chairman Conrad called the public hearing to order at 6:15 p.m. and explained that the purpose of the public hearing is to receive public comment on the proposed abandonment of a portion of State Route 654 that is now in the State Secondary Road System. Chairman Conrad explained that this abandonment had been requested by Alice Corbin Rollins and Stephen Rollins pursuant to Section 33.1-151 of the Code of Virginia.

Chairman Conrad called for the petitioners to come forward and speak if they wished to do so. The petitioners made no comment. Chairman Conrad then called for anyone in the audience who would like to come and speak in favor or in opposition to this petition.

No comments were heard in favor or opposition of this petition, Chairman Conrad closed the public hearing at 6:20 PM.

Thomas H. Conrad, Chairman

On Monday, December 7, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox County Administration Office, located at 153A Morton Lane, Appomattox, Virginia.

Present: William H. Craft – Appomattox River District
Samuel E. Carter – Courthouse District
Thomas H. Conrad – Falling River District
Russell H. Moore – Piney Mountain District
Gary W. Tanner – Wreck Island District

Also Present: Aileen T. Ferguson- County Administrator
John K. Spencer – Assistant County Administrator
J.G. Overstreet – County Attorney
Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting to order at 6:30 p.m. Mr. Craft delivered the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Chairman Conrad added Administrative Item #7A- Letter to Governor Kaine. Added under Informational Items was -Item #22A- Broadband Projects; #22B- Social Services Report; #22C- Sheriff's Office Audit; and item #22D- Appomattox County Public Schools.

Chairman Conrad next called for public comment, hearing no comments; Chairman Conrad called on Mr. Tony Casale, with the Department of Criminal Justice Services to come before the Board to explain the community based corrections program. Mr. Casale also provided the Board with their options when the new Regional Jail begins housing prisoners and Appomattox County must become a part of a Community Corrections Program.(*handout in Board file*)

Mr. Casale came forward thanked the Board for the opportunity appear before them to explain the statutes related to establishing services and Community Criminal Justice Boards under the Pretrial Services Act and the Community Corrections Act.

Mr. Casale stated that since the Regional Jail construction project has been approved the Board is required to establish and maintain a pretrial service program and a local probation program, however, in both the Pretrial Services Act and the Community Corrections Act, you are only required to establish what the General Appropriations Act provides for you in funds. Mr. Casale stated that the General Assembly has not provided any funds for new pretrial services or local probation projects since 2000 and as of now Appomattox County is 22 on a list of 29 localities that are waiting for the General Assembly to come forward and funds these services.

Mr. Casale stated that the Board is also responsible for establishing a Community Criminal Justice Board and this can be done several ways, you can establish your own programs and establish your own Board or you may partner with the City of Lynchburg along with Amherst County to attempt to establish your own because you are part of a regional jail. Mr. Casale asked if the Board had temporarily agreed to go with Piedmont ASAP, which Ms. Ferguson confirmed.

Mr. Casale stated that the Board structure is located under Code of Virginia Section 9.1-178 and it requires a judge from each of the courts, magistrate and chief of police or sheriff for law enforcement and either a sheriff or regional jail administrator for the jail services someone representing public defense, a local educator and a community services board administrator.

Mr. Casale asked the Board to read over the handout given and if they should have any questions have County Administrator Ferguson contact him and he will be glad to answer.

Mr. Casale stated that the regional jail is scheduled to open sometime in 2011.

Mr. Craft questioned if we could partner with Prince Edward County instead of Amherst, Mr. Casale explained that Prince Edward does not have pretrial services, you would only get local probation and then you would be in a position of having your local probation in Prince Edward and then you would have to establish your own pretrial services with Amherst County. Mr. Casale explained that the Board should consider all options before making a decision.

Mr. Craft asked if we have to establish these pretrial services. Mr. Casale stated yes, but not until funding has been provided. Mr. Casale stated that he suggested that the Board start working on a plan, but then again the County will not have to do anything until funds are provided.

Chairman Conrad called for other questions from the Board, hearing none, he thanked Mr. Casale and he then called on Mr. Jimmy Sanderson with Davenport & Company and Dan Siegel from Sands Anderson Marks and Miller to come forward and discuss the Capital Funding Needs and Profile that they have prepared for the County.

Mr. Sanderson stated that he did have two new items for discussion tonight that had not been discussed previously.

Mr. Sanderson provided the Board with a handout (*Board File*) and then explained the goals and objectives would be to pursue the opportunity to refinance the County's outstanding debt. He stated that annual debt service savings is currently at favorable interest rate levels.

Mr. Sanderson suggested that the County pursue getting a bond rating which Appomattox County currently does not have which is something that will be very beneficial to the County when discussing capital projects and also when refinancing.

Mr. Sanderson stated that they would be going through the County's future school needs and the potential impact to the County and provides insight as to the County's financial status when compared to other Virginia localities, which were done previously, but this time it has been done a little differently.

Mr. Sanderson next discussed the potential refunding opportunities.

Mr. Sanderson stated that Davenport continually monitors the County's debt portfolio for refunding opportunities. They strategically structured the 2009 financing to allow the County to prepay the debt anytime without penalty and based on existing interest rates, the County has the opportunity to refund the 2009 bonds at a lower interest rate with no extension of maturities and exchanging a higher interest rate for a lower interest rate. Mr. Sanderson stated that the County's total debt outstanding with refunding potential is at $14,553,500.

Mr. Sanderson stated that by refunding the $14.5million of its outstanding debt, the County could realize annual savings on its debt service obligations.

Mr. Sanderson stated that the potential refunding allows the County to achieve annual reduction on future debt service obligations providing cash flow relief to the County, also an overall final maturity on refunding debt that does not extend beyond current final maturity of FY2009 and that through up-front savings, annual cash flow relief in FY's 2011-2012; with subsequent year debt service remaining unchanged or slightly lower.

Mr. Sanderson next explained the bond ratings and stated that bond ratings can provide an indication of probability of a timely repayment of principal and interest on an Issuer's bond – credit assessment. Mr. Sanderson stated that there are three major credit rating agencies Moody's Investors Service, Standard & Poor's and Fitch Ratings. He explained that the goal would be to receive a strong investment rating and with the initial analysis they believe Appomattox County would be in the "A" category which is considered a strong investment grade credit. Mr. Sanderson explained that obtaining an investment grade rating will provide the County with great access to various financing vehicles with greater control over terms and potentially lower borrowing costs.

Mr. Sanderson next explained the peer group comparison and stated that the County's financial position compares favorably to a peer group comprised of Virginia counties and stated that the peer group consist of both rated counties with moderate population size and unrated counties with smaller populations and/or geographic proximity to Appomattox.

Mr. Sanderson next discussed the anticipated School Capital Projects and stated that the County presently anticipates future capital funding needs for several school renovation and construction projects, all of which could commence within the next twelve fiscal years.

Mr. Sanderson explained the existing debt service and the anticipated debt service based on all projects over a period of time.

Mr. Sanderson discussed a preliminary plan of finance assumptions with the Primary School, High School, bus garage project, the middle school and elementary school projects and then discussed the qualified school construction bonds.

Mr. Sanderson explained the Stimulus Act authorized "tax credit bonds" that essentially carry a zero percent interest rate and approximately $300 million of borrowing authority is available to Virginia localities through December 31, 2010. Mr. Sanderson stated that a general rule of thumb is for every $1 million of qualified school construction bond funding, the County could realize $1 million debt service savings over the life of a loan and the problem with this is the Commonwealth has limited the use of this program to existing facilities with a preference given

to energy efficient improvements and renewable energy retrofits to public school buildings making it unavailable to the County for much of its school capital program. Mr. Sanderson stated that the new administration will reconsider this limitation to include new construction as it is imposed at the State level and not mandated by the Federal Government. Mr. Sanderson stated that Davenport has not assumed the availability of qualified school construction bond funding in the school capital funding analysis. He also stated that these funds must be used in 2010 or you will lose them unless the government extends this program.

Mr. Sanderson next discussed the equivalent tax impact of existing debt and all identified school projects and then the equivalent tax impact of existing debt and Primary School project only.

Next Mr. Sanderson summarized Davenports observations and the current status which is the County enjoys a relatively real estate tax rate ($.48 versus $.52 peer group average); the County's debt outstanding remains at or below the National averages; the debt service as a percentage of the annual budget is well below the National averages for strong investment grade credits; payout ratio is equal to if not better than other "A" rated peer Virginia counties and undesignated fund balances is above 10% but still below peer Virginia counties.

Mr. Sanderson discussed some future challenges which are $73 million dollars of multiple school needs that have been identified. The equivalent tax impact on funds all of the above referenced projects is 27 pennies over 10 years; the initial $14 million dollar Primary School project would require the equivalent of eight pennies over six years; and the potential use of federal stimulus funds via qualified School Construction Bond Program would provide a significant cash flow benefit to the County so that the above eight pennies over six years would be reduced.

Mr. Sanderson discussed the prospective opportunities. The County has the potential for realizing annual debt service savings with a targeted refinancing, if current interest rates persist and roughly $11-15 million of outstanding debt is potentially refinance able – not extending maturities, but rather exchanging higher fixed interest rates for lower fixed interest rates.

Mr. Sanderson then discussed the next steps and a timetable for Davenport to work with the Board and County staff on these issues.

Mr. Sanderson stated that he was not asking the Board for formal action tonight, but wanted to see if the Board wanted to continue moving forward.

Mr. Carter questioned if during this economic situation if it was the best time to be moving forward with the bond rating? Mr. Sanderson stated that the best time is now and the FY09 audit will be a better audit than FY2010.

Mr. Craft asked when the study would be complete.

Mr. Sanderson stated that if they were able to talk with the agencies in January and it would depend on the agencies schedule you should have an answer within the month.

Mr. Sanderson and Mr. Siegel called for other questions that the Board may have.

Hearing no further questions, Chairman Conrad thanked Mr. Sanderson and Mr. Siegel for their presentation.

Chairman Conrad presented Administrative Item#1 – Draft Zoning Ordinance and Draft Zoning Map and explained that a joint public hearing was held on October 19, 2009 to consider an amendment to the zoning ordinance and the zoning map. Chairman Conrad stated that the Board has had an opportunity to consider comments received at the public hearing and now needed to provide direction on how the Board wished to proceed with the changes as proposed. Chairman Conrad called for discussion.

Mr. Craft stated that with the feedback he is hearing, citizens feel the Board is extending the zone RR out to far.

Mr. Tanner stated that he would like to send this item back to the Planning Commission to review and make some changes to RR zone also.

Chairman Conrad stated he feels when this ordinance is sent back to the Planning Commission they needed to have some specifics that the Board wanted looked at and reviewed.

Mr. Carter stated that these changes will have a significant impact on citizens of this county and he feels there needs to be better communication and he would like this carried back to the Planning Commission and then they hold public meetings explaining in a more definitive manner so that it is understood by a layperson what is being done.

Mr. Tanner commended the Planning Commission for their time and effort that was put into this ordinance , but, stated that we do want this to be a good working document and not have to change things every year or so.

Mr. Conrad stated that the Board will need to realize that no matter what ordinance we decide upon not everyone is going to like it.

It was the consensus of the Board to send the draft zoning ordinance and draft zoning map back to the Planning Commission for further review and then request them to hold a public meeting to address the major areas of concern.

Mr. Overstreet stated that there are two different ways to handle zoning and some ordinances allow you to zone below what you are zoned which is considered less dense and then there is

more dense which would allow market place to decide how land is going to be used and he is not sure if the Board would want to consider this but he did want to bring it to their attention.

Chairman Conrad presented Administrative Item# 2 – Planning Commission Appointment and stated that George Almond and Steve Conner's terms on the Planning Commission expire on December 31, 2009 and they both have stated their interest in being reappointed with terms ending December 31, 2013. Chairman Conrad called for discussion.

Mr. Craft stated that Mr. Almond has done a great job and made a motion to reappoint Mr. George Almond to the Planning Commission representing the Appomattox River District with term ending December 31, 2013. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Mr. Carter made a motion to reappoint Mr. Steve Conner to the Planning Commission representing the Courthouse District with term ending December 31, 2013. Mr. Craft seconded Mr. Carter's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#3- Town of Appomattox Request for Joint Animal Control Officer and stated that a request had been made by Bart Van Nieuwenhuise, Town Manager, that the Town and County jointly hire an animal control officer. This is being proposed due to a proposed ordinance change within the Town. Chairman Conrad called for discussion.

Mr. Craft stated that due to the budget shortfall that we are anticipating, he cannot see doing this at this time.

Mr. Carter questioned the unmet needs within the Town limits.

Ms. Ferguson stated that she is not sure what the Town is saying when mentioning unmet needs, to her knowledge all needs are being met, she stated that she reviews all calls to animal control everyday and she is unaware of any unmet needs.

Chairman Conrad stated that based on the economic situation and not sure about being able to retain all the employees that we now have employed, that he feels we should not be hiring any new positions at this time.

Mr. Carter stated that he does not think this issue has gone through the Town Council.

Mr. Paul Harvey, Mayor for the Town of Appomattox stated that this has been proposed by the Town Manager and an Ordinance Committee and this issue has not gone through the Town Council.

Ms. Ferguson questioned how the Board would like her to respond to this request on behalf of the Board.

It was the consensus of the Board to respond that the Board is not interested at this time.

Chairman Conrad presented Administrative Item #4 – Resolution upon Retirement and stated that Mr. Moore has decided to retire as of December 31, 2009 and staff is recommending the Board to adopt the following resolution acknowledging his faithful and dedicated service to Appomattox County citizens. Chairman Conrad called for discussion.

RESOLUTION COMMENDATION

MR. RUSSELL H. MOORE FOR SERVICE ON THE

APPOMATTOX COUNTY BOARD OF SUPERVISORS

WHEREAS, Mr. Russell H. Moore, was elected to the Appomattox County Board of Supervisors November 1991; and

WHEREAS, During his years of service, he represented the concerns and needs of Appomattox County citizens in an effective and compassionate manner; and

WHEREAS, Mr. Moore served Eighteen years on the Appomattox County Board of Supervisors; and

WHEREAS, He freely gave his time, talents and expertise to help make the lives of those he served better;

NOW, THEREFORE, BE IT RESOLVED That the Appomattox County Board of Supervisors on this 7th day of December, 2009, does hereby commend and thank Mr. Russell H. Moore for his years of service and achievement as a member of the Appomattox County Board of Supervisors; and

BE IT FURTHER RESOLVED That Appomattox County Board of Supervisors sincerely thanks Mr. Russell H. Moore and wishes him much happiness and fulfillment in his further pursuits.

Mr. Tanner stated that he admired Mr. Moore for what he has done for the County and then made a motion to adopt the resolution acknowledging Mr. Moore for his faithful and dedicated service to Appomattox County citizens. Mr. Carter seconded Mr. Tanner's motion. Chairman Conrad

called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Tanner, aye; Mr. Moore abstain.

Chairman Conrad presented Administrative Item#5 – Meeting schedule for calendar year 2010 and stated that in January the Board would need to approve the meeting schedule for the new calendar year, he explained that staff is asking the Board to review this calendar and make any changes that they see fit.

Ms. Ferguson explained that the meeting schedule would not be adopted until the organizational meeting in January.

Chairman Conrad presented Administrative Item#6- Amendment to contract for Board room and explained that the price to install the cabinetry in the Board room at the old elementary school is $11,150.00 and staff is recommending accepting this amendment to the present contract.

Chairman Conrad called for discussion.

Mr. Craft stated that this money has already been appropriated.

Ms. Ferguson stated that this would be amending the contract to include this due to staff not being able to do this job as we had previously thought.

Mr. Craft made a motion to accept the amendment to the previous contract in the amount of $11,150.00. Mr. Carter seconded Mr. Craft's motion. Chairman Conrad called for discussion hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#7- VDOT Resolution accepting Denali Lane, Route 1097 located in Porterhouse Road Subdivision, Section II into the Secondary Road System for maintenance. Chairman Conrad stated that all is in order with VDOT.

Mr. Tanner made a motion to approve the resolution accepting Denali Lane, Route 1097, located in Porterhouse Road Subdivision, Section II into the Secondary Road System for maintenance. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#7A- Letter to Governor Kaine and stated that staff is recommending that the Board send the enclosed letter to Governor Kaine concerning the completion of High Bridge Trail State Park. Chairman Conrad stated that Prince Edward is requesting the Board's support to try to have VDOT forces complete construction.

Mr. Craft made a motion to send the enclosed letter to Governor Kaine concerning the completion of High Bridge Trail State Park. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Consent Agenda and called for discussion.

CONSENT AGENDA:
Approval of Bills:
Approval of Minutes:

July 20, 2009- Regular Scheduled Meeting

August 3, 2009 – Regular Scheduled Meeting

August 17, 2009- Public Hearing on Subdivision Ordinance

August 17, 2009 – Regular Scheduled Meeting

August 24, 2009 – Special Called Meeting – Closed Session to discuss personnel

August 27, 2009 – Special Called Meeting- meeting with Congressman Perriello

August 27, 2009 – Special Called Meeting –meeting with Williams Gas Pipe Line

August 31, 2009 – Special Called Meeting-Closed Session- Legal Council

SUPPLEMENTAL APPROPRIATIONS:
Sheriff's Department:
supplement by consent and appropriate the following:

3101-1004 Overtime	$19,000.00
3101-2001 FICA	1,454.00
3102-1002 Overtime	125.95
3102-2001 FICA	10.43
3102-3013 OSHA Mandates	40.00
3102-5804 TRIAD Donations	10.00

Rescue Squad:
supplement by consent and appropriate $18,250.00 to 3203-7001 Vehicle/Equipment in the Rescue Squad budget for the purchase of Tough books for the ambulances. These funds will be totally reimbursed by a grant.

Animal Control:
supplement by consent and appropriate $20.00 to 3501-5402 Food/Food Supplies for a donation received.

Landfill:
supplement by consent and appropriate $6,311.32 to 4204-3005 in the landfill budget for a reimbursement received from the insurance company.

Library:
supplement by consent and appropriate the following to the Library for donations, stamp sales, office supply sales, book replacement fees, and book sales:

7301-5401 Office supplies	399.85
7301-5411 Books	70.00
7301-5414 Pamplin Library	76.29

LINE ITEM TRANSFERS:
County Administration:
approve the following line item transfer from operating reserve in the Board of Supervisors budget to Workers Compensation to pay workers compensation for this fiscal year.

$1,929.00 from 1101-5804 Operating Reserve to 1101-2011 Workers Compensation.

FUND TRANSFERS:
Sports Complex Fund:
transfer by consent $6,660.00 from the Sports Complex Fund to the General Fund to cover the listed expenditure.

Mr. Craft made a motion to adopt the Consent Agenda as presented. Mr. Moore seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

Chairman Conrad presented the Information Items and called for discussion, hearing no discussion he called for Supervisor Concerns.

Mr. Carter questioned if the parking lot was going to be repaved at the back of CVCC where the new board room will be. Ms. Ferguson stated that this had already been done. Next, Mr. Carter questioned if there would be adequate lighting behind CVCC for the new board room. Ms. Ferguson stated that she would check into this.

Mr. Carter next stated that he would like to thank everyone involved with the success of the annual Christmas parade which included: Donna Sayre, Anne Dixon, Wayne Phelps, Bonnie and Robert Tillotson, Community of Candles Committee with June Chenault, Shirley Wheeler, Keelan Wheeler and all other volunteers. Mr. Carter stated that the parade was a great success and he had heard many favorable comments.

Mr. Tanner stated that he would like to read some Appomattox County citizens names recognized in the Virginia War Memorial: World War II – George D. Akers; Jesse J. Almond; John A. Bringham, Jr.; Lacy Lee Dickerson, Jr.; Edward J. Irving; Raymond Moore; Charlie Nelson; James T. St. John; Dewey C. Almond; William Anderson; Paul C. Brown; Thomas A. Doss; James Daniel Lee; Ernest Morgan; Noel O. Price; Thomas Alvin Trent; Harris N. Almond; James Houston Bethel Jr.; William Conner; William Goodrich Harris; David R. Mayberry; William R. Morris; James W. Roberts Jr.; Alton D. Turner; Cloyce M. Turner; Vietnam War: Fred Henry Patterson; Calvin Coolidge Tolley, Jr; Curtis Whitted.

Mr. Tanner stated that he felt it was worthy to recognize these citizens.

Mr. Carter stated that Mr. Roger Grubbs name had somehow been omitted and he would also like to honor him as well.

Chairman Conrad reminded the Board of all upcoming meetings.

Hearing no further comments, Mr. Craft made a motion to adjourn the meeting at 7:50 PM. Mr. Tanner seconded Mr. Craft's motion. Hearing no discussion, Chairman Conrad called for a vote: Mr. Carter, aye; Mr. Conrad, aye; Mr. Craft, aye; Mr. Moore, aye; Mr. Tanner, aye.

The meeting adjourned at 7:50 PM.

Thomas H. Conrad, Chairman

On Monday, December 21, 2009 at 5:00 p.m. the Appomattox County Board of Supervisors held a joint meeting with the Appomattox Extension Service at the Appomattox County Community Center, located at 220 Community Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District-arrived late Gary W. Tanner – Wreck Island District Mr. Jerry N. Small – Supervisor Elect – Piney Mountain District
Absent:	Russell H. Moore – Piney Mountain District Samuel E. Carter – Courthouse District
Extension Service:	Mr. Bruce Jones - Extension Agent Ms. Bonnie Tillotson - 4-H Agent Ms. Donna Tolley- Administrative Assistant

Ms. Evelyn Ferguson- SNAP- Education
Ms June Chenault Extension Leadership Council

Also Present: Ms. Aileen T. Ferguson - County Administrator
Mr. J.O. Overstreet - County Attorney
Mr. Johnnie Roark - Planner
Vicky Phelps – Administrative Assistant

Chairman Conrad called the meeting to order at 5:00 PM and called for the Blessing of the Food.

The VPI & SU District Extension Service served dinner at 5:00 p.m.

During dinner, Mr. Bruce Jones welcomed everyone in attendance. Mr. Jones explained that the Appomattox Extension Office had lost one employee, Wanda Evans with the Expanded Food, Nutrition and Education Program, which is funded with USDA Funds, due to budget cuts.

Mr. Jones introduced each of the Extension employees and explained their titles of work with the Appomattox Extension Office and then stated that a power point presentation had been put together to give updates on the different program areas.

Ms. Tillotson came forward to give a brief update on the 4-H Program.

Ms. Tillotson briefed the Board on some activities that she is involved with such as In School Programs, After School Clubs, Special Interest Clubs, Interstate Exchange Club, Summer 4-H Camp, Health Rocks, Youth Mile, Public Speaking, and Share the Fun which is a talent show. Ms. Tillotson stated that during the In School Programs she works with every child in grades 3 – 8. Ms. Tillotson stated that the After School Clubs are working with cooking, sewing.

Ms. Tillotson explained that the Special Interest Clubs include the 4-H Interstate Exchange Club which is lead by Donna Tolley and they will be traveling to Minnesota this year with this program. Ms. Tillotson explained the Shooting Education Club which is lead by Robert Tillotson and the Horse and Pony Club which is lead by Pam Barney and they are hoping to send 4-5 girls to Horse Camp this summer. Ms. Tillotson then briefly explained Health Rocks Club which has three parts which includes, Health Lifestyles which is lead by Bonnie; Food and Nutrition is lead by Evelyn Ferguson and then the Youth Mile which includes Teen Leaders and they have approximately 90 runners in 2009 from the Appomattox Middle School and Appomattox Primary School. Ms. Tillotson briefly spoke about the Public Speaking Club which includes students from the Fourth grade up to High School age and ages 14 and up can participate in the State Level. Ms. Tillotson explained the Share the Fun Talent Program and stated that we have some really good talent within this County and explained that the Senior Group can participate at a State level. Ms. Tillotson next explained that the 4-H Summer Camp we are now camping with Lynchburg City instead of Nelson as we have done in the past years. Ms. Tillotson stated that a

100% of parents that responded to their survey stated that they have seen a positive life style in their children after attending camp. Ms. Tillotson stated that this year they had 176 students attend camp, and conducting this camp were 15- Counselors; 22-Teen Leaders; 20-Adult

Volunteers that participated. Ms. Tillotson next gave a brief explanation of the Horse Forum which was held in Amherst County and stated that 22 students participated in the program from the Central Virginia area. Ms. Tillotson called for questions from the Board.

With no questions from the Board, Ms. Evelyn Ferguson came forward and explained the 4-H Food and Nutrition Program. Ms. Ferguson stated that she has a case load of approximately 1000 students that are serviced in the program that range from ages 3-19. Ms. Ferguson stated that all groups and clubs receive a minimum of six hours of nutrition education. Ms. Ferguson stated that the different Appomattox County youth that are receiving these services are Head Start, Precious Angels, YMCA; Fun with Foods; Tiny Angels; 4-H Camp; Appomattox Primary School; Appomattox Elementary School, Appomattox Middle School and Health Rocks. Ms. Ferguson stated that other area students receiving these services are Camp Timothy; Bedford Hills, Altavista Head Start and Amherst Elementary School. Ms Ferguson called for questions.

Hearing no questions Mr. Bruce Jones came forward to brief the Board on the Value-Added Beef Initiative Program.

Mr. Jones stated that a Value Added Beef Initiative grant that was funded by the Tobacco Commission which was a 50% cost share program and a producer could receive up to $3000 in cost share assistance, and there were different areas you could choose from and they did see a lot of producers jump to different areas. Mr. Jones stated that the majority of producers used the money to purchase improvements to their handling facilities; Mr. Jones stated that he has received a lot of positive feedback from these producers. Mr. Jones explained that he had seven producers complete the 2009 project, we paid out approximately $19,400 and in order to get this the producers had to pay out over $40,000. Mr. Jones explained that in the project summary the total producers who have participated in the County were 33 participants.

Mr. Jones next explained the Commodity Storage Initiative and stated that the allocation for Appomattox County is approximately $35,000 and it is a 1/3 cost share program which will include beef cattle; dairy; goats; sheep and grain; Participants can utilize this program by purchasing hay barns; feed bins; and grain bins.

Mr. Jones explained the Private Well Water Testing Program that was held during the summer of 2009. Mr. Jones explained that Appomattox County participated with 25 samples being

submitted and results came back surprising. Mr. Jones explained that out of the samples tested for Appomattox County 53% came back with low ph which was expected, but 67% of samples came back positive with coliform bacteria; 10% with positive E Coli bacteria; 10% came back higher in magnesium; and 7% with nitrate nitrogen which was higher that the EPA would like to see. Mr. Jones stated that these results were from residential areas not farm lands.

Mr. Jones next stated that dark tobacco is still a big industry within the County and we have seen a major increase in production over this production cycle and he is not sure what the future will hold, the purchaser in Kenbridge is shutting their facility and it will be keeping the buying building open in years to come but it will be processed in Pennsylvania.

Mr. Jones stated that a potential crop for this area is barley as an ethanol plant is opening in Hopewell.

Mr. Jones stated that Appomattox County hosted a Forage and Hay Field Day in the Concord area this year and there was a large attendance from across the state.

Mr. Jones explained the Farm to Table program and is seeing an increase in purchasing local grown foods and we actively have a farm in Pamplin in Frog Bottom that is running a CSA Farm which is a Community Supported Agriculture Farm where they sell shares and each week and deliver their in season produce.

Mr. Jones explained that we had one farmer that planted warm season grass – Cecil Wooldridge and he utilized a company out of Ohio that offered a guaranteed stand. Mr. Wooldrige planted for the first time and with the dry weather it did not do well, so the company has come back and planted it again.

Mr. Jones stated that he had been working with the Agriculture Department at the High School to offer a farm safety educational event for students.

Mr. Jones explained that he receives many calls from citizens on landscaping and then he gave a summary of diagnostic samples that have been sent to the soil testing lab at Virginia Tech.

Mr. Jones stated that he was offering a Master Gardner Class through Virginia Tech and it will start in January with 50 hours of class time and once you are trained you will be mandated to participate with 50 hours of volunteer time. This class will cost $100 to attend. Mr. Jones stated that he is expecting about 10 participants in this class.

Mr. Jones stated that he and his staff appreciate the financial support that is given from the County.

Mr. Jones then answered questions from the Board.

The meeting concluded at 6:10 PM.

Thomas H. Conrad, Chairman

On Monday, December 21, 2009 at 6:30 p.m. the Appomattox County Board of Supervisors held their regular scheduled meeting at the Appomattox Community Center, located at 220 Community Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Gary W. Tanner – Wreck Island District
Absent:	Samuel E. Carter – Courthouse District Russell H. Moore – Piney Mountain District
Also Present:	Aileen T. Ferguson- County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant

Chairman Conrad called the regular scheduled meeting to order at 6:30 p.m. Mr. Tanner delivered the invocation. Everyone joined in the Pledge of Allegiance to the American Flag.

Chairman Conrad called for the setting of the agenda. Chairman Conrad added Administrative Item #9A- 2010 Calendar; Administrative Item #9B- Community Services Board Appointment and Administrative Item #9C- Broad Band Resolution. Mr. Tanner stated that he would like to remove from the Consent Agenda-Line Item Transfer #17- Public Utilities to Administrative Item #9D.

Chairman Conrad called for public comment. Mr. Jeff Taylor came forward and stated his address as 187 James River Road, Appomattox, Virginia. Mr. Taylor stated that he was speaking as a representative for the Gladstone Volunteer Fire Department and he also serves on the Board of Directors. Mr. Taylor thanked the Board for the $3000 donation and then described the coverage area for the Gladstone area. Gladstone covers of 22,751 acres and 36 square miles with approximately 680 addressable structures to protect. Mr. Taylor stated that Gladstone Volunteer

Fire Department is a small department that is also shared with Nelson County and being a small rural community with very little industrial businesses to help support their organization. Mr. Taylor explained that there is no central population center and they do not have the ability to fund raise like other organizations. Mr. Taylor stated that the Gladstone Volunteer Fire Department is respectfully submitting a request for any monetary fund's that Appomattox County could provide.

Hearing no other public comment, Chairman Conrad presented Administrative Item#1 – Appomattox Heritage & Recreation Trail Update and stated that as the Board is aware Mr. Roark has been working on grants to develop a trail that will connect the Community Park with Oakville Road. Chairman Conrad stated that in light of the current economic status of the Commonwealth and how this impacts the County budget Mr. Roark is asking if the Board wishes are to proceed with this project. Chairman Conrad asked if Mr. Roark had any other information to provide the Board.

Mr. Roark stated that we are at a point where we are ready to start putting together the design team. He continued that the Resolution of Support was approved in better economic times and he felt it imperative to let the Board know that we are ready to move forward with this project.

Mr. Roark stated that the design phase match is being met by the easement value which was donated by the EDA and we will not lose any money, but during the construction phase we would need cash to meet the grant and with the economy in an unsettled state, he feels that opportunities for donations are increasingly limited. Mr. Roark stated that he does not want to owe VDOT if we are not going to move forward. Mr. Roark stated that the design could be completed and then the Board could revisit the issue of moving forward.

Mr. Tanner stated that he does not feel this project is essential, but we could go ahead with the design since it will not cost us anymore and the Board could revisit this issue at a later date.

Chairman Conrad stated that he is in agreement with Mr. Tanner and feels this project is not essential at this time and let the Board revisit.

It was the consensus of the Board to proceed with the design of this trail and then bring it back to the Board for approval before proceeding further.

Chairman Conrad presented Administrative Item #2 – Economic Development Authority Appointments and explained that Mr. William Slagle and Anthony Rago's term on the Economic Development Authority expires on December 31, 2009. Chairman Conrad stated that both have stated their interest in being reappointed, however Mr. Rago is unemployed at this time and is seeking employment that may take him out of the area. Chairman Conrad explained that the term would be for four years ending December 31, 2013. Chairman Conrad stated that Ms. Nina

Beasley and Mr. Harold Lester have filed citizen applications expressing their interest in serving on the EDA. Chairman Conrad called for comments from the Board.

Mr. Craft stated that he felt that the entire Board should be present before making this decision. Ms. Ferguson stated that Mr. Carter had left her several comments if the Board wished to go ahead with this decision, however if the Board felt they should wait until all members are present, she would save his comments and let him speak.

Mr. Tanner stated that he agreed with Mr. Craft in tabling this issue until we have a complete Board present.

Chairman Conrad stated that previously the Board has reappointed those who wish to continue with their current appointment to a Board or Committee. Mr. Conrad stated that when Mr. Rago has to leave the area for another job, we could appoint someone else at that time.

Mr. Tanner stated that he would feel more comfortable waiting until a complete Board was present.

It was the consensus of the Board to table this issue.

Chairman Conrad presented Administrative Item #3- Change Order for CVCC Phase III (Board Meeting Room) as stated; the Board has already approved the largest portion of this change order which is the casework, for the Board room. The other changes are minor and itemized. Chairman Conrad stated that Staff is recommending that the Board approve Change Order Number 1 in the amount of $12,663.40. Chairman Conrad called for comment.

Mr. Craft made a motion to approve Change Order Number 1 for CVCC Phase III (Board Meeting Room) in the amount of $12,663.40. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none; he called for a Roll Call Vote: Mr. Craft, aye; Mr. Conrad, aye; Mr. Tanner.

Chairman Conrad presented Administrative Item #4- Sound System for the Board Room and explained that proposals have been received from three firms experienced in installing sound systems. One firm submitted a comprehensive proposal for sound and video that exceeded our budget projections. Another firm proposed a traditional system similar to the system at the Community Center and the third firm, Stage Sound of Roanoke, proposed a reasonably priced alternative that seems to address many of the complaints received on the Community Center system. The add-alternate bid is for a small video camera system to allow observation from the IT closet. Chairman Conrad stated that all proposals have included the use of three wireless microphones and four hearing impaired sets from the Community Center. Chairman Conrad stated that Staff is recommending the Board accept the Stage Sound proposal, including the add-

alternate for a video monitoring system and contracting with them in the amount of $14,353 for installation of the Board Room sound system. Chairman Conrad called for discussion.

Mr. Tanner made a motion to accept the Stage Sound proposal including the add-alternate for a video monitoring system and contracting with them in the amount of $14,353 for installation of the Board Room sound system. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a Roll Call Vote: Mr. Craft, aye; Mr. Conrad, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #5- Freight Rail Infrastructure Capacity Expansion Act letter of support and stated that Go21, a freight rail advocacy group has requested support for the passage of the Freight Rail Infrastructure Capacity Expansion Act. This act will offer private firm's incentives to invest in expanding the nation's rail capacity to keep up with the increasing demand for rail service. Chairman Conrad stated that staff is recommending the Board to consider a letter of support for the passage of this act. Chairman Conrad called for discussion.

Mr. Tanner made a motion for staff to write a letter of support for the Freight Rail Infrastructure Capacity Expansion Act. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Craft, aye; Mr. Conrad, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #6- Local Emergency Planning Committee and explained that we are in the process of forming a Local Emergency Planning Committee (LEPC) in accordance with SARA Title III, the Emergency Planning and Community Right –To-Know Act of 1986. Chairman Conrad explained that the County had a committee years ago but it has not functioned as it should have for a number of years. Chairman Conrad explained that the function of this Committee shall include, but is not limited to the assistance in preparation of an emergency response plan that shall include the requirements of SARA Title III. The County is to have a representative on the Committee which will meet quarterly. Chairman Conrad asked if any Board member was interested in serving on this committee.

Mr. Tanner stated that he would like to wait on this issue until after January 2010 and have a full Board including new Board member Jerry Small in order that he could participate also.

It was the consensus of the Board to wait until after January before acting on this issue.

Chairman Conrad presented Administrative Item #7- Amendment to Emergency Operations Plan and explained that an amendment to the Emergency Operations Plan, addressing Pandemic Influenza, was being proposed. Chairman Conrad stated that staff is recommending the Board accept this amendment to the Emergency Operations Plan titled "Hazard Specific Annex 8 – Pandemic Influenza (Flu)". Chairman Conrad called for discussion.

Mr. Craft made a motion to accept the amendment to the Emergency Operations Plan titled "Hazard Specific Annex 8 – Pandemic Influenza (Flu)". Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for discussion, hearing none, he called for a vote: Mr. Craft, aye; Mr. Conrad, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item#8- Region 2000 Services Authority and stated that Clark Gibson, Executive Director for the Region 2000 Services Authority has requested that the Local Government Guarantee for the Region 2000 Services Authority be approved in order for him to provide the proper assurances to DEQ for the Regional Landfill. Chairman Conrad called for discussion.

Mr. Craft questioned if this was done last year.

Ms. Ferguson stated that last year the City of Lynchburg did everything, this year it was determined that we should function as a full Board and as our agreement that the Board approved when joining the Regional Services Authority. Ms. Ferguson stated that this is just a formality and this will be done annually. Ms. Ferguson stated that this is financial assurance documentation.

Mr. Tanner made a motion to approve the Local Government Guarantee for the Region 2000 Services Authority. Mr. Craft seconded Mr. Tanner's motion, hearing no further discussion, Chairman Conrad called for a vote: Mr. Craft, aye; Mr. Conrad, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #9- Organizational Chart and Job Description Changes and explained that staff has reviewed the amended organizational chart and the job descriptions and find these changes necessary in order for the office to fun more efficiently and is asking that the board approve the revised organizational chart and job descriptions as presented. Chairman Conrad called for discussion.

Ms. Ferguson stated that she did have a comment that Mr. Carter had ask her to give to the Board concerning this issue. Mr. Carter is asking that the Director of Community Development stay under the general direction of the County Administrator.

Mr. Tanner asked if Mr. Carter elaborated on why he preferred the Director of Community Development to stay under the general direction of the County Administrator. Ms. Ferguson stated that when Mr. Carter gave her his comment, he did not elaborate on his reason.

Mr. Craft made a motion to approve the Organizational Chart and Job Descriptions as submitted. Mr. Tanner seconded Mr. Craft's motion. Hearing no comment, Chairman Conrad called for a vote: Mr. Craft, aye; Mr. Conrad, aye; Mr. Tanner, aye.

Chairman Conrad presented the Consent Agenda with changes as made according to the Setting of the Agenda and called for discussion.

CONSENT AGENDA:

Approval of Bills:

Approval of Minutes:

September 8, 2009- Regular Scheduled Meeting
September 21, 2009- Special Called Meeting
September 21, 2009- Regular Scheduled Meeting
September 21, 2009- Public Hearing on Zoning

SUPPLEMENTAL APPROPRIATIONS:

Sheriff's Department:

supplement by consent and appropriate the following:

3102-1002 Overtime	612.01
3102-2001 FICA	50.70
3102-3013 OSHA Mandates	20.00

Circuit Court Clerk:

supplement by consent and appropriate $13,262.70 to 2106-3010 Data Processing in the Circuit Court Clerk's budget for International Land Systems Software Upgrade, Backup Recovery Package and Installation, Antivirus Software, Server Software and Maintenance Services. This money will be reimbursed from the State.

Animal Control:

supplement by consent and appropriate $20.00 to 3501-5402 Food/Food Supplies for a donation received.

Building Official:

Please supplement by consent and appropriate $120.00 to 3401-5411 Code Books in the Building Officials' budget for a reimbursement received from a contractor for code books.

Library:

supplement by consent and appropriate the following to the Library for donations, stamp sales, office supply sales, book replacement fees, and book sales:

7301-5401 Office supplies	403.70
7301-5411 Books	94.16
7301-5414 Pamplin Library	123.96

FUND TRANSFERS:

Sports Complex Fund:

transfer by consent $6,916.18 from the Sports Complex Fund to the General Fund to cover the listed expenditure.

Mr. Tanner made a motion to approve the Consent Agenda a presented during the Setting of the Agenda. Mr. Craft seconded Mr. Tanner's motion. Chairman Conrad called for a Roll Call Vote: Mr. Craft, aye; Mr. Conrad, aye; Mr. Tanner, aye.

Chairman Conrad presented Administrative Item #9A- 2010 Calendar and explained that the Appomattox Town Council is requesting that the Board schedule two joint meetings for 2010. One meeting will be scheduled for February 23, 2010 and the other August 24, 2010 both to be held at 6:00 PM as the Town Council Meeting Room. Chairman Conrad explained that the purpose of these meetings will be to open lines of communication of mutual interest for both the Town and County. Chairman Conrad called for discussion.

It was the consensus of the Board to work these two meetings into the calendar and have the Board approve at the Organizational Meeting scheduled for January.

Chairman Conrad presented Administrative Item #9B- Community Services Board Appointment and stated that Mr. Lynn Doss' term on the Community Services Board expires December 31, 2009 and this term would be a three year term beginning January 1, 2010 with meetings being held the fourth Wednesday of each month. Chairman Conrad called for discussion.

Mr. Craft stated that he had contacted the applicants and we have two citizens who are very interested in serving on this committee, however he would like to have a full Board present before appointing someone.

It was the consensus of the Board to table this item until the next agenda.

Chairman Conrad presented the Information Items and called for discussion, hearing no discussion, at 7:00 PM Chairman Conrad called a recess to hold a Public Hearing on the Proposed Adoption of a Resolution Creating the Appomattox County Broadband Authority.

Chairman Conrad reconvened the regular scheduled meeting at 7:08 PM.

Chairman Conrad presented Administrative Item #9C- Broadband Resolution and stated that we have just held a public hearing on forming a Broadband Authority and asked the Boards interest in moving forward with this issue.

Mr. Tanner stated that a lot of work had been put into this effort and he appreciated all the work put forth by Mr. Bryan David and he can see that this will be a benefit to citizens. He then made a motion to adopt the resolution creating the Appomattox County Broadband Authority. Mr. Craft seconded Mr. Tanner's motion. Hearing no further comment, Chairman Conrad called for a vote: Mr. Craft, aye; Mr. Conrad, aye; Mr. Tanner, aye.

Appomattox County Board of Supervisors

A RESOLUTION CREATING

THE APPOMATTOX COUNTY BROADBAND AUTHORITY

WHEREAS, access to affordable high speed data and Internet service ("broadband") is important for fostering economic development, improving educational opportunities and access to quality health care, ensuring public safety, and enhancing the overall quality of life of the citizens of the county; and

WHEREAS, many portions of the county are either underserved or completely unserved by affordable and reliable broadband service; and

WHEREAS, due in large part to the economic challenges of deploying broadband infrastructure in a largely rural community, the private sector alone has not been able to fulfill this community need, and there is no indication that it will do so in the near future; and

WHEREAS, the Appomattox County Board of Supervisors has determined that it is in the best interest of the citizens of the county to create a broadband authority in order facilitate the deployment of affordable broadband service in unserved and underserved parts of the county to local businesses, community organizations, local government agencies and departments, and county residents.

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Broadband Authority ("Authority") be created pursuant to the Virginia Wireless Service Authorities Act, Chapter 54.1 of Title 15.2 of the Code of Virginia (§15.2-5431.1 et seq.) ("Act") as a body politic and corporate, and as an instrumentality exercising public and essential governmental functions to provide for the public health and welfare as authorized under the Act. As required by §15.2-5431.4 of the Code of Virginia, the Articles of Incorporation of the Authority are hereby set forth as follows:

ARTICLES OF INCORPORATION OF THE

APPOMATTOX COUNTY BROADBAND AUTHORITY

I. Name

The name of the authority is "Appomattox County Broadband Authority" (the "Authority").

II. Parties to the Authority

The sole initial member of the Authority is the County of Appomattox, Virginia, a political subdivision of the Commonwealth of Virginia.

III. Address and physical location

The address of the Authority's principal office and physical location is: County Administration Office, 153-A Morton Lane, Appomattox, VA 24522.

IV. Board of the Authority

The Authority Board will consist of five members. Each member of the Board of Supervisors of Appomattox County is a member of the Authority Board with full voting privileges and his term as a member of the Authority Board will begin and end with his term of office as a member of the Board of Supervisors of Appomattox County. The name and addresses of the initial members of the Authority Board are as follows:

Name of Member	Address
Samuel E. Carter	P.O. Box 863, Appomattox, VA 24522
Thomas H. Conrad	P.O. Box 863, Appomattox, VA 24522
William H. Craft	P.O. Box 863, Appomattox, VA 24522
Jerry Small	P.O. Box 863, Appomattox, VA 24522
Gary W. Tanner	P.O. Box 863, Appomattox, VA 24522

V. Purpose For Which Authority Is Created

The Authority's purpose is to provide qualifying communications services as authorized by the Virginia Wireless Service Authorities Act ("Act") and Article 5.1 (§56-484.7:1 et seq.) of Chapter 15 of Title 56 of the Code of Virginia.

VI. Powers of the Authority

The Authority is an instrumentality exercising public and essential governmental functions to provide for the public health and welfare as authorized under the Act. The Authority shall have all rights, duties, and powers provided under the Act, including but not limited to, the power to sue and be sued in its own name, adopt an official seal, adopt bylaws and rules to govern its affairs, issue notes and revenue bonds, enter into contracts, and fix and charge fees for services.

IN WITNESS WHEREOF, after duly advertising this Resolution and notice of hearing, and holding the public hearing pursuant to §15.2-5431.5 of the Code of Virginia, the Appomattox County Board of Supervisors does hereby adopt this Resolution Creating the Appomattox County Broadband Authority and setting forth the Authority's initial Articles of Incorporation this 21st day of December, 2009.

Chairman Conrad presented Administrative Item #9D- Public Utilities which was moved off of the Consent Agenda as item #17.

Mr. Tanner stated that he requested that this be moved due to feeling that it is necessary to have a full Board present before making a decision on this item.

It was the consensus of the Board to table this item until next meeting.

Chairman Conrad called for Supervisors Concerns, hearing no concern, Chairman Conrad then reminded the Board of upcoming meetings.

Chairman Conrad thanked the citizens who regularly attend Board meetings and stated that he feels the Board makes an effort to make decisions that benefit all citizens. Chairman Conrad again then thanked everyone in attendance and wished them a Merry Christmas and Happy New Year.

Mr. Craft made a motion to adjourn the regular scheduled meeting at 7:11 P.M. Mr. Tanner seconded Mr. Craft's motion. Chairman Conrad called for a vote: Mr. Craft, aye; Mr. Conrad, aye: Mr. Tanner.

The meeting adjourned at 7:11 P.M.

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Thomas H. Conrad, Chairman

On Monday, December 21, 2009 at 7:00 p.m. the Appomattox County Board of Supervisors held a Public Hearing on Proposed Adoption of Resolution Creating the Appomattox County Broadband Authority at the Appomattox Community Center, located at 220 Community Lane, Appomattox, Virginia.

Present:	William H. Craft – Appomattox River District Thomas H. Conrad – Falling River District Gary W. Tanner – Wreck Island District
Absent:	Samuel E. Carter – Courthouse District Russell H. Moore – Piney Mountain District
Also Present:	Aileen T. Ferguson- County Administrator J.G. Overstreet – County Attorney Vicky Phelps – Administrative Assistant

Chairman Conrad called the public hearing to order at 7:00 p.m. and explained that the purpose of the public hearing would be to receive public comment on the Proposed Adoption of Resolution Creating the Appomattox County Broadband Authority.

Chairman Conrad called on Mr. Bryan David to give a brief explanation of this proposed resolution.

Mr. David stated that there is very minimal cost in forming a Broadband Authority. Mr. David stated that recently with Digital Bridge, grants award with Mid Atlantic Broadband will have a significant impact on pushing out broadband capability to the County. Mr. David stated that he had spoken with Mr. Wallace who is one of the principals in Digital Bridge who is a supporter of the County taking this step, with the understanding the Authority would be there if needed. Mr. David next stated that the federal stimulus funds will be offered in February and by having the Authority we will have the requirements in place to participate in and be a support.

Mr. Craft asked if other Localities are taking the same action.

Mr. David stated that Appomattox County is ahead of other Counties in this area.

Chairman Conrad read a letter by Rosalie Majerus to be kept in the Board file.

The letter read as follows:

To: Appomattox Board of Supervisors

From: Rosalie Majerus

Subject: Support for Broadband Authority in Appomattox County

Date: December 21, 2009

I am asking that the following be read into the record.

I am a resident of Appomattox County and I support the county moving forward with a Broadband Authority. Currently my only feasible option for high speed internet is the painfully slow dial-up. Satellite service is too expensive and is not consistently reliable.

The residents of Appomattox County are at a disadvantage from areas that have affordable high speed internet. We are penalized if we do not use the internet. Currently the Department of Motor Vehicles adds a surcharge if you do not register your vehicle on line. If I had high speed internet, there may times, especially during bad weather, that I could work from home.

For the County to remain competitive, all residents should have the ability to access affordable high speed internet. To no move forward on this is a disservice to all Appomattox residents.

In an effort of full disclosure, I am also am employee of Virginia's Region 2000 Local Government Council. For me, who you select to manage the start-up of a Broadband Authority is not important. What is important is that you move forward to start a Broadband Authority.

Thank you for your time and consideration.

Rosalie Majerus
2246 Double Bridges Road
Spout Spring, Virginia 24593

Chairman Conrad called or public comment, hearing none, he closed the Public Hearing at 7:08 PM.

Thomas H. Conrad, Chairman